

PHA Plans

Streamlined Annual Version

U.S. Department of Housing and
Urban Development
Office of Public and Indian
Housing

OMB No. 2577-0226
(exp. 08/31/2009)

This information collection is authorized by Section 511 of the Quality Housing and Work Responsibility Act, which added a new section 5A to the U.S. Housing Act of 1937 that introduced 5-year and annual PHA Plans. The full PHA plan provides a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services, and informs HUD, families served by the PHA, and members of the public of the PHA's mission and strategies for serving the needs of low-income and very low-income families. This form allows eligible PHAs to make a streamlined annual Plan submission to HUD consistent with HUD's efforts to provide regulatory relief for certain types of PHAs. Public reporting burden for this information collection is estimated to average 11.7 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

Privacy Act Notice. The United States Department of Housing and Urban Development, Federal Housing Administration, is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Information in PHA plans is publicly available.

Streamlined Annual PHA Plan

for Fiscal Year: 2008

PHA Name: Municipality of Humacao

NOTE: This PHA Plan template (HUD-50075-SA) is to be completed in accordance with instructions contained in previous Notices PIH 99-33 (HA), 99-51 (HA), 2000-22 (HA), 2000-36 (HA), 2000-43 (HA), 2001-4 (HA), 2001-26 (HA), 2003-7 (HA), and any related notices HUD may subsequently issue.

Streamlined Annual PHA Plan Agency Identification

PHA Name: Municipality of Humacao

PHA Number: RQ025

PHA Fiscal Year Beginning: (mm/yyyy) 07/2008

PHA Programs Administered:

☐ **Public Housing and Section 8**

Number of public housing units:
Number of S8 units:

☒ **Section 8 Only**

Number of S8 units:

☐ **Public Housing Only**

Number of public housing units:

☐ **PHA Consortia:** (check box if submitting a joint PHA Plan and complete table)

Participating PHAs	PHA Code	Program(s) Included in the Consortium	Programs Not in the Consortium	# of Units Each Program
Participating PHA 1:				
Participating PHA 2:				
Participating PHA 3:				

PHA Plan Contact Information:

Name: Mr. Gilberto Rivera-López
TDD:

Phone: (787) 852-3066 ext. 2237
Email (if available): gilberto_rivera_humacao@yahoo.com

Public Access to Information

Information regarding any activities outlined in this plan can be obtained by contacting:
(select all that apply)

☒ PHA's main administrative office ☐ PHA's development management offices

Display Locations For PHA Plans and Supporting Documents

The PHA Plan revised policies or program changes (including attachments) are available for public review and inspection. ☒ Yes ☐ No.

If yes, select all that apply:

- ☒ Main administrative office of the PHA
☐ PHA development management offices
☐ Main administrative office of the local, county or State government
☐ Public library ☐ PHA website ☐ Other (list below)

PHA Plan Supporting Documents are available for inspection at: (select all that apply)

- ☒ Main business office of the PHA ☐ PHA development management offices
☐ Other (list below)

Streamlined Annual PHA Plan
Fiscal Year 2008
[24 CFR Part 903.12(c)]

Table of Contents

[24 CFR 903.7(r)]

Provide a table of contents for the Plan, including applicable additional requirements, and a list of supporting documents available for public inspection

A. PHA PLAN COMPONENTS

- ☐ 1. Site-Based Waiting List Policies
- 903.7(b)(2) Policies on Eligibility, Selection, and Admissions**
- ☐ 2. Capital Improvement Needs
- 903.7(g) Statement of Capital Improvements Needed**
- ☒ 3. Section 8(y) Homeownership
- 903.7(k)(1)(i) Statement of Homeownership Programs**
- ☐ 4. Project-Based Voucher Programs
- ☒ 5. PHA Statement of Consistency with Consolidated Plan. Complete only if PHA has changed any policies, programs, or plan components from its last Annual Plan.
- ☒ 6. Supporting Documents Available for Review
- ☐ 7. Capital Fund Program and Capital Fund Program Replacement Housing Factor, Annual Statement/Performance and Evaluation Report
- ☐ 8. Capital Fund Program 5-Year Action Plan

B. SEPARATE HARD COPY SUBMISSIONS TO LOCAL HUD FIELD OFFICE

Form HUD-50076, PHA Certifications of Compliance with the PHA Plans and Related Regulations: Board Resolution to Accompany the Streamlined Annual Plan identifying policies or programs the PHA has revised since submission of its last Annual Plan, and including Civil Rights certifications and assurances the changed policies were presented to the Resident Advisory Board for review and comment, approved by the PHA governing board, and made available for review and inspection at the PHA's principal office;

For PHAs Applying for Formula Capital Fund Program (CFP) Grants:

Form HD- 50070, Certification for a Drug-Free Workplace;

Form HUD-50071, Certification of Payments to Influence Federal Transactions and

Form SF-LLL & SF-LLL a, Disclosure of Lobbying Activities.

C. OTHER COMPONENTS (HARD COPY SUBMISSIONS TO LOCAL HUD FIELD OFFICE)

- 1. Amendments from Last Annual Plan
- 2. Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan
- 3. Membership of the Resident Advisory Board or Boards
- 4. List of Persons Assisting the Meeting to Revise the Plan Draft
- 5. Newspaper Ad Promoting and Announcing the Hearing Process
- 6. List of Persons Assisting the Public Hearing
- 7. Consultation Process: Comments of the Resident Advisory Board or Boards & Explanation of PHA Response

1. Site-Based Waiting Lists (Eligibility, Selection, Admissions Policies)

[24 CFR Part 903.12(c), 903.7(b)(2)]

Exemptions: **Section 8 only PHAs are not required to complete this component.**

DOES NOT APPLY

A. Site-Based Waiting Lists-Previous Year

1. Has the PHA operated one or more site-based waiting lists in the previous year? If yes, complete the following table; if not skip to B.

Site-Based Waiting Lists				
Development Information: (Name, number, location)	Date Initiated	Initial mix of Racial, Ethnic or Disability Demographics	Current mix of Racial, Ethnic or Disability Demographics since Initiation of SBWL	Percent change between initial and current mix of Racial, Ethnic, or Disability demographics

2. What is the number of site based waiting list developments to which families may apply at one time?
3. How many unit offers may an applicant turn down before being removed from the site based waiting list?
4. ☐ Yes ☐ No: Is the PHA the subject of any pending fair housing complaint by HUD or any court order or settlement agreement? If yes, describe the order, agreement or complaint and describe how use of a site-based waiting list will not violate or be inconsistent with the order, agreement or complaint below:

B. Site-Based Waiting Lists – Coming Year

If the PHA plans to operate one or more site-based waiting lists in the coming year, answer each of the following questions; if not, skip to next component.

1. How many site-based waiting lists will the PHA operate in the coming year?

2. ☐ Yes ☐ No: Are any or all of the PHA's site-based waiting lists new for the upcoming year (that is, they are not part of a previously HUD-approved site based waiting list plan)?
If yes, how many lists?
3. ☐ Yes ☐ No: May families be on more than one list simultaneously?
If yes, how many lists?
4. Where can interested persons obtain more information about and sign up to be on the site based waiting lists (select all that apply)?
- ☐ PHA main administrative office
 - ☐ All PHA development management offices
 - ☐ Management offices at developments with site-based waiting lists
 - ☐ At the development to which they would like to apply
 - ☐ Other (list below)

2. Capital Improvement Needs

[24 CFR Part 903.12 (c), 903.7 (g)]

Exemptions: Section 8 only PHAs are not required to complete this component.

DOES NOT APPLY

A. Capital Fund Program

1. ☐ Yes ☐ No Does the PHA plan to participate in the Capital Fund Program in the upcoming year? If yes, complete items 7 and 8 of this template (Capital Fund Program tables). If no, skip to B.
2. ☐ Yes ☐ No: Does the PHA propose to use any portion of its CFP funds to repay debt incurred to finance capital improvements? If so, the PHA must identify in its annual and 5-year capital plans the development(s) where such improvements will be made and show both how the proceeds of the financing will be used and the amount of the annual payments required to service the debt. (Note that separate HUD approval is required for such financing activities.).

B. HOPE VI and Public Housing Development and Replacement Activities (Non Capital Fund)

Applicability: All PHAs administering public housing. Identify any approved HOPE VI and/or public housing development or replacement activities not described in the Capital Fund Program Annual Statement.

1. ☐ Yes ☐ No: Has the PHA received a HOPE VI revitalization grant? (if no, skip to #3; if yes, provide responses to the items on the chart located on the next page, copying and completing as many times as necessary).

2. Status of HOPE VI revitalization grant(s):

HOPE VI Revitalization Grant Status
a. Development Name:
b. Development Number:
c. Status of Grant: <input type="checkbox"/> Revitalization Plan under development <input type="checkbox"/> Revitalization Plan submitted, pending approval <input type="checkbox"/> Revitalization Plan approved <input type="checkbox"/> Activities pursuant to an approved Revitalization Plan underway

3. ☐ Yes ☐ No: Does the PHA expect to apply for a HOPE VI Revitalization grant in the Plan year?

If yes, list development name(s) below:

4. ☐ Yes ☐ No: Will the PHA be engaging in any mixed-finance development activities for public housing in the Plan year? If yes, list developments or activities below:

5. ☐ Yes ☐ No: Will the PHA be conducting any other public housing development or replacement activities not discussed in the Capital Fund Program Annual Statement? If yes, list developments or activities below:

3. Section 8 Tenant Based Assistance-Section 8(y) Homeownership Program
(if applicable) [24 CFR Part 903.12(c), 903.7(k)(1)(i)]

1. ☐ Yes ☒ No: Does the PHA plan to administer a Section 8 Homeownership program pursuant to Section 8(y) of the U.S.H.A. of 1937, as implemented by 24 CFR part 982 ? (If "No", skip to the next component; if "yes", complete each program description below (copy and complete questions for each program identified.)

2. Program Description:

a. Size of Program

☐ Yes ☐ No: Will the PHA limit the number of families participating in the Section 8 homeownership option?
If the answer to the question above was yes, what is the maximum number of participants this fiscal year?

b. PHA established eligibility criteria

☐ Yes ☐ No: Will the PHA's program have eligibility criteria for participation in its Section 8 Homeownership Option program in addition to HUD criteria?
If yes, list criteria:

c. What actions will the PHA undertake to implement the program this year (list)?

3. Capacity of the PHA to Administer a Section 8 Homeownership Program:

The PHA has demonstrated its capacity to administer the program by (select all that apply):

- ☐ Establishing a minimum homeowner downpayment requirement of at least 3 percent of purchase price and requiring that at least 1 percent of the purchase price comes from the family's resources.
- ☐ Requiring that financing for purchase of a home under its Section 8 homeownership will be provided, insured or guaranteed by the state or Federal government; comply with secondary mortgage market underwriting requirements; or comply with generally accepted private sector underwriting standards.
- ☐ Partnering with a qualified agency or agencies to administer the program (list name(s) and years of experience below):
- ☐ Demonstrating that it has other relevant experience (list experience below):

4. Use of the Project-Based Voucher Program

Intent to Use Project-Based Assistance

☐ Yes ☒ No: Does the PHA plan to "project-base" any tenant-based Section 8 vouchers in the coming year? If the answer is "no," go to the next component. If yes, answer the following questions.

1. ☐ Yes ☐ No: Are there circumstances indicating that the project basing of the units, rather than tenant-basing of the same amount of assistance is an appropriate option? If yes, check which circumstances apply:
 - ☐ low utilization rate for vouchers due to lack of suitable rental units
 - ☐ access to neighborhoods outside of high poverty areas
 - ☐ other (describe below):
2. Indicate the number of units and general location of units (e.g. eligible census tracts or smaller areas within eligible census tracts):

5. PHA Statement of Consistency with the Consolidated Plan

[24 CFR Part 903.15]

For each applicable Consolidated Plan, make the following statement (copy questions as many times as necessary) only if the PHA has provided a certification listing program or policy changes from its last Annual Plan submission.

1. Consolidated Plan jurisdiction: (provide name here)
Municipality of Humacao Consolidated Plan

2. The PHA has taken the following steps to ensure consistency of this PHA Plan with the Consolidated Plan for the jurisdiction: (select all that apply)

- ☒ The PHA has based its statement of needs of families on its waiting lists on the needs expressed in the Consolidated Plan/s.
- ☒ The PHA has participated in any consultation process organized and offered by the Consolidated Plan agency in the development of the Consolidated Plan.
- ☒ The PHA has consulted with the Consolidated Plan agency during the development of this PHA Plan.
- ☐ Activities to be undertaken by the PHA in the coming year are consistent with the initiatives contained in the Consolidated Plan. (list below)
 - Apply for additional Federal Funds.*
 - Make alliances with public and private organizations to provide supportive and educational services to tenants.*
- ☐ Other: (list below)

3. The Consolidated Plan of the jurisdiction supports the PHA Plan with the following actions and commitments: (describe below)

Share information on Federal Programs, including NOFA's deadlines and other important data related to federal funds.

6. Supporting Documents Available for Review for Streamlined Annual PHA Plans

PHAs are to indicate which documents are available for public review by placing a mark in the “Applicable & On Display” column in the appropriate rows. All listed documents must be on display if applicable to the program activities conducted by the PHA.

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Related Plan Component
X	<i>PHA Certifications of Compliance with the PHA Plans and Related Regulations and Board Resolution to Accompany the Standard Annual, Standard Five-Year, and Streamlined Five-Year/Annual Plans;</i>	5 Year and Annual Plans
X	<i>PHA Certifications of Compliance with the PHA Plans and Related Regulations and Board Resolution to Accompany the Streamlined Annual Plan</i>	Streamlined Annual Plans
X	<i>Certification by State or Local Official of PHA Plan Consistency with Consolidated Plan.</i>	5 Year and standard Annual Plans
X	Fair Housing Documentation Supporting Fair Housing Certifications: Records reflecting that the PHA has examined its programs or proposed programs, identified any impediments to fair housing choice in those programs, addressed or is addressing those impediments in a reasonable fashion in view of the resources available, and worked or is working with local jurisdictions to implement any of the jurisdictions’ initiatives to affirmatively further fair housing that require the PHA’s involvement.	5 Year and Annual Plans
X	Housing Needs Statement of the Consolidated Plan for the jurisdiction(s) in which the PHA is located and any additional backup data to support statement of housing needs for families on the PHA’s public housing and Section 8 tenant-based waiting lists.	Annual Plan: Housing Needs
	Most recent board-approved operating budget for the public housing program	Annual Plan: Financial Resources
	Public Housing Admissions and (Continued) Occupancy Policy (A&O/ACOP), which includes the Tenant Selection and Assignment Plan [TSAP] and the Site Based Waiting List Procedure.	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Deconcentration Income Analysis	Annual Plan: Eligibility, Selection, and Admissions Policies
	Any policy governing occupancy of Public Officers and Over-Income Tenants in Public Housing. <input type="checkbox"/> Check here if included in the public housing A&O Policy.	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Section 8 Administrative Plan	Annual Plan: Eligibility, Selection, and Admissions Policies
	Public housing rent determination policies, including the method for setting public housing flat rents. <input type="checkbox"/> Check here if included in the public housing A & O Policy.	Annual Plan: Rent Determination
	Schedule of flat rents offered at each public housing development. <input type="checkbox"/> Check here if included in the public housing A & O Policy.	Annual Plan: Rent Determination
X	Section 8 rent determination (payment standard) policies (if included in plan, not necessary as a supporting document) and written analysis of Section 8 payment standard policies. <input type="checkbox"/> Check here if included in Section 8 Administrative Plan.	Annual Plan: Rent Determination
	Public housing management and maintenance policy documents, including policies for the prevention or eradication of pest infestation (including cockroach infestation).	Annual Plan: Operations and Maintenance

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Related Plan Component
	Results of latest Public Housing Assessment System (PHAS) Assessment (or other applicable assessment).	Annual Plan: Management and Operations
	Follow-up Plan to Results of the PHAS Resident Satisfaction Survey (if necessary)	Annual Plan: Operations and Maintenance and Community Service & Self-Sufficiency
X	Results of latest Section 8 Management Assessment System (SEMAP)	Annual Plan: Management and Operations
X	Any policies governing any Section 8 special housing types <input checked="" type="checkbox"/> Check here if included in Section 8 Administrative Plan	Annual Plan: Operations and Maintenance
	Public housing grievance procedures <input type="checkbox"/> Check here if included in the public housing A & O Policy	Annual Plan: Grievance Procedures
X	Section 8 informal review and hearing procedures. <input checked="" type="checkbox"/> Check here if included in Section 8 Administrative Plan. Also Included in the PHA's Orientation Booklet: Knowing the Section 8 Program ("Manual de Orientación: Conociendo el Programa de Sección 8")	Annual Plan: Grievance Procedures
	The Capital Fund/Comprehensive Grant Program Annual Statement /Performance and Evaluation Report for any active grant year.	Annual Plan: Capital Needs
	Most recent CIAP Budget/Progress Report (HUD 52825) for any active CIAP grants.	Annual Plan: Capital Needs
	Approved HOPE VI applications or, if more recent, approved or submitted HOPE VI Revitalization Plans, or any other approved proposal for development of public housing.	Annual Plan: Capital Needs
	Self-evaluation, Needs Assessment and Transition Plan required by regulations implementing Section 504 of the Rehabilitation Act and the Americans with Disabilities Act. See PIH Notice 99-52 (HA).	Annual Plan: Capital Needs
	Approved or submitted applications for demolition and/or disposition of public housing.	Annual Plan: Demolition and Disposition
	Approved or submitted applications for designation of public housing (Designated Housing Plans).	Annual Plan: Designation of Public Housing
	Approved or submitted assessments of reasonable revitalization of public housing and approved or submitted conversion plans prepared pursuant to section 202 of the 1996 HUD Appropriations Act, Section 22 of the US Housing Act of 1937, or Section 33 of the US Housing Act of 1937.	Annual Plan: Conversion of Public Housing
	Documentation for required Initial Assessment and any additional information required by HUD for Voluntary Conversion.	Annual Plan: Voluntary Conversion of Public Housing
	Approved or submitted public housing homeownership programs/plans.	Annual Plan: Homeownership
	Policies governing any Section 8 Homeownership program (Section _____ of the Section 8 Administrative Plan)	Annual Plan: Homeownership
	Public Housing Community Service Policy/Programs <input type="checkbox"/> Check here if included in Public Housing A & O Policy	Annual Plan: Community Service & Self-Sufficiency
	Cooperative agreement between the PHA and the TANF agency and between the PHA and local employment and training service agencies.	Annual Plan: Community Service & Self-Sufficiency
	FSS Action Plan(s) for public housing and/or Section 8.	Annual Plan: Community Service & Self-Sufficiency
	Section 3 documentation required by 24 CFR Part 135, Subpart E for public housing.	Annual Plan: Community Service & Self-Sufficiency
	Most recent self-sufficiency (ED/SS, TOP or ROSS or other resident services grant) grant program reports for public housing.	Annual Plan: Community Service & Self-Sufficiency
	Policy on Ownership of Pets in Public Housing Family Developments (as required by regulation at 24 CFR Part 960, Subpart G). <input type="checkbox"/> Check here if included in the public housing A & O Policy.	Annual Plan: Pet Policy
X	The results of the most recent fiscal year audit of the PHA conducted under the Single Audit Act as implemented by OMB Circular A-133, the results of that	Annual Plan: Annual Audit

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Related Plan Component
	audit and the PHA's response to any findings.	
X	Other supporting documents (optional) (list individually; use as many lines as necessary) - <i>The PHA's Orientation Booklet: Knowing the Section 8 Program</i> - <i>("Manual de Orientación: Conociendo el Programa de Sección 8")</i>	(specify as needed) <i>Annual Plan: Eligibility, Selection, and Admissions Policies, & Rent Determination</i>
	Consortium agreement(s) and for Consortium Joint PHA Plans <u>Only</u> : Certification that consortium agreement is in compliance with 24 CFR Part 943 pursuant to an opinion of counsel on file and available for inspection.	Joint Annual PHA Plan for Consortia: Agency Identification and Annual Management and Operations

7. Capital Fund Program Annual Statement/Performance and Evaluation Report and Replacement Housing Factor - DOES NOT APPLY (SECTION 8 ONLY)

Annual Statement/Performance and Evaluation Report					
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part I: Summary					
PHA Name:		Grant Type and Number Capital Fund Program Grant No: Replacement Housing Factor Grant No:			Federal FY of Grant:
<input type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disasters/ Emergencies <input type="checkbox"/> Revised Annual Statement (revision no:)					
<input type="checkbox"/> Performance and Evaluation Report for Period Ending: <input type="checkbox"/> Final Performance and Evaluation Report					
Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations				
3	1408 Management Improvements				
4	1410 Administration				
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs				
8	1440 Site Acquisition				
9	1450 Site Improvement				
10	1460 Dwelling Structures				
11	1465.1 Dwelling Equipment—Nonexpendable				
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment				
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Development Activities				
19	1501 Collateralization or Debt Service				
20	1502 Contingency				
21	Amount of Annual Grant: (sum of lines 2– 20)				
22	Amount of line 21 Related to LBP Activities				
23	Amount of line 21 Related to Section 504 compliance				
24	Amount of line 21 Related to Security– Soft Costs				
25	Amount of Line 21 Related to Security– Hard Costs				
26	Amount of line 21 Related to Energy Conservation Measures				

PHA Name: Municipality of Humacao
HA Code: RQ025

Streamlined Annual Plan for Fiscal Year 2008

7. Capital Fund Program Annual Statement/Performance and Evaluation Report and Replacement Housing Factor - DOES NOT APPLY (SECTION 8 ONLY)

Annual Statement/Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part II: Supporting Pages

[illegible]

7. Capital Fund Program Annual Statement/Performance and Evaluation Report and Replacement Housing Factor - DOES NOT APPLY (SECTION 8 ONLY)

Annual Statement/Performance and Evaluation Report Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part III: Implementation Schedule							
PHA Name:			Grant Type and Number Capital Fund Program No: Replacement Housing Factor No:				Federal FY of Grant:
Development Number Name/HA-Wide Activities	All Fund Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised	Actual	Original	Revised	Actual	

8. Capital Fund Program Five-Year Action Plan - DOES NOT APPLY (SECTION 8 ONLY)

Capital Fund Program Five-Year Action Plan					
Part I: Summary					
PHA Name				<input type="checkbox"/> Original 5-Year Plan <input type="checkbox"/> Revision No:	
Development Number/Name/HA-Wide	Year 1	Work Statement for Year 2 FFY Grant: PHA FY:	Work Statement for Year 3 FFY Grant: PHA FY:	Work Statement for Year 4 FFY Grant: PHA FY:	Work Statement for Year 5 FFY Grant: PHA FY:
	Annual Statement				
CFP Funds Listed for 5-year planning					
Replacement Housing Factor Funds					

8. Capital Fund Program Five-Year Action Plan - DOES NOT APPLY (SECTION 8 ONLY)

Capital Fund Program Five-Year Action Plan						
Part II: Supporting Pages—Work Activities						
Activities for Year 1	Activities for Year : ____ FFY Grant: PHA FY:			Activities for Year: ____ FFY Grant: PHA FY:		
	Development Name/Number	Major Work Categories	Estimated Cost	Development Name/Number	Major Work Categories	Estimated Cost
See						
Annual						
Statement						
Total CFP Estimated Cost			\$			\$

8. Capital Fund Program Five-Year Action Plan - DOES NOT APPLY (SECTION 8 ONLY)

Capital Fund Program Five-Year Action Plan Part II: Supporting Pages—Work Activities					
Activities for Year : ____ FFY Grant: PHA FY:			Activities for Year: ____ FFY Grant: PHA FY:		
Development Name/Number	Major Work Categories	Estimated Cost	Development Name/Number	Major Work Categories	Estimated Cost
Total CFP Estimated Cost		\$			\$

B. CERTIFICATIONS TO BE SUBMITTED TO LOCAL HUD FIELD OFFICE

Form HUD-50076, PHA Certifications of Compliance with the PHA Plans and Related Regulations: Board Resolution to Accompany the Streamlined Annual Plan identifying policies or programs the PHA has revised since submission of its last Annual Plan, and including Civil Rights certifications and assurances the changed policies were presented to the Resident Advisory Board for review and comment, approved by the PHA governing board, and made available for review and inspection at the PHA's principal office.

(Attached next)

B. CERTIFICATIONS TO BE SUBMITTED TO LOCAL HUD FIELD OFFICE

(To be completed after the Public Hearing)

C. OTHER COMPONENTS (HARD COPY SUBMISSIONS TO LOCAL HUD FIELD OFFICE)

LIST OF OTHER DOCUMENTS AND/OR CERTIFICATIONS TO BE SUBMITTED AS PART OF THE PHA ANNUAL PLAN:

- C-1. Amendments from Last Annual Plan
- C-2. Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan & PHA Certification of Compliance with the PHA Plans and Related Regulations: Board Resolution to Accompany the Streamlined Annual PHA Plan
- C-3. Membership of the Resident Advisory Board or Boards
- C-4. List of Persons Assisting the Meeting to Revise the Plan Draft
- C-5. Newspaper Ad Promoting and Announcing the Hearing Process
- C-6. List of Persons Assisting the Public Hearing
- C-7. Consultation Process: Comments of the Resident Advisory Board or Boards & Explanation of PHA Response

C. OTHER COMPONENTS (HARD COPY SUBMISSIONS TO LOCAL HUD FIELD OFFICE)

C-1 Amendments from Last Annual Plan

1. Eligibility, Selection, and Admissions Policies, &, Rent Determination

To enhance the Program procedures and successfully promote communications, the PHA revised its briefing package by creating the Orientation Booklet: Knowing the Section 8 Program (“Manual de Orientación: Conociendo el Programa de Sección 8”) This manual contains all the subjects required as part of the Information Package, general policies of the PHA, plus copy and explanation of required forms, such as the Voucher and Form HUD-9886.

2. VAWA & Sexual Offenders Policies

DOMESTIC VIOLENCE, SEXUAL AND ABUSE CRIMES AGAINST WOMEN AND CHILDREN

The Municipality of Humacao, in compliance with the laws against domestic violence, sexual abuse and crimes against women and children, provide by all means possible, to all the families affected and requiring assistance, assistance for service, including referring to any agency that is able to handle these cases and that could give all necessary assistance.

Among the agencies that the municipality accounts, are the Office of Women's Affairs, the Office of Citizen Assistance, Child Care and Early Head Start.

The laws relating here, as:

Public Law 109-162 of the Act Against Violence Against Women (VAWA), Act 54 of Puerto Rico and Public Law 22

Will not be allowed in our program, to any person who has been accused of committing any crime against these laws, whether within or outside our jurisdiction. This is in compliance with Public Law 266, Puerto Rico (Articles 5 and 7) and federal regulations (24CFR982.553), which provides for denying the involvement of these individuals in the program.

VAWA and Sexual offenders

To implement VAWA, the Municipality of Humacao (RQ025) has adopted the following goals and objectives, as Domestic Violence Policy:

1. VAWA applies to the Housing Choice Program for vouchers (Section 8 program).
2. The applicant / tenant / victim must be treated with respect and dignity.

C. OTHER COMPONENTS (HARD COPY SUBMISSIONS TO LOCAL HUD FIELD OFFICE)

3. The PHA will notify holders of vouchers on their rights under VAWA, including the possibility of the portability of their voucher to another jurisdiction, so you can escape the imminent threat of possible domestic violence or stalking.

4. VAWA will be incorporated into the process of orientation of both the landlord and the tenant.

If necessary, and in accordance with laws, policies, processes and documentation of the program it will perform the necessary amendments, as required in the guidelines for HUD, including written notification of the same.

Sex Offenders:

The Municipality of Humacao refused admission to any family member, subject to the registration requirements for life under the State Program Registration Sexual offenders. Those not subject to sexual offenders register for life; they will be denied assistance, the term that lasts registration on the list as sex offenders.

Those identified as sex offenders, could be referred by the municipality to other agencies for help.

3. Payment Standards:

The Section 8 Housing Choice Voucher Program of Humacao Housing Authorities has amended the payment standard. **It will be of 100% of Fair Market Rents.**

4. Housing Quality Standard (HQS)

The Housing Program will require all owners of rental dwellings that have housing in our program who have to paint the unit engaged in every two years.

C. OTHER COMPONENTS (HARD COPY SUBMISSIONS TO LOCAL HUD FIELD OFFICE)

C-2. Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan & PHA Certifications of Compliance with the PHA Plans and Related Regulations: Board Resolution to Accompany the Streamlined Annual PHA Plan

(This certification is required due to the fact that an amendment was made since the last Annual Plan. This in compliance with 24CFR903.15 and as cited in the component A-5 of this Template and the form HUD-50076.)

(Original Attached Next)

(To be completed after the Consultation)

C. OTHER COMPONENTS (HARD COPY SUBMISSIONS TO LOCAL HUD FIELD OFFICE)

C-3. Membership of the Resident Advisory Board or Boards

List members of the Resident Advisory Board or Boards: (If the list would be unreasonably long, list organizations represented or otherwise provide a description sufficient to identify how members are chosen.)

All the head of the participants' families, that are model representatives of the Section 8 Program, were invited to a meeting where they were invited to become part of the Participants' Board. Those who accepted are the designated members of the Board.

They were appointed on December 2007 and will be appointed again by December 2009.

In the PHA (Municipality of Humacao) the Mayor is the Executive Director (Section 8– HCV - Program). Governing Board is for Public Housing. In Tenant Based (Section 8- HCV) there is, instead, a Participants Advisory Board. The Official in charged for designating he Participants Advisory Board is the Section 8 (HCV), Federal Affairs or Housing Department Director or Coordinator. In the Municipality of Humacao, Mr. Gilberto Rivera-López is the Section 8 Program (Housing) Coordinator.

The Participant Advisory Board's members for the PHA is:

1. Jesús M. Agosto
2. Glenda Rivera-García
3. Ivette Ubiles-Arroyo
4. María L. Rojas
5. Walter Acosta-Ortíz
6. Marangely Reyes
7. Damaris Vega
8. María Del C. Soto
9. Emeline Torres
10. Luz T. Rodríguez
11. Mayra M. Ruíz-Torres

C. OTHER COMPONENTS (HARD COPY SUBMISSIONS TO LOCAL HUD FIELD OFFICE)

C-4. List of Persons Assisting the Meeting to Revise the Plan Draft

(To be completed after the meeting)
(Original attached next)

Please Review the attachment

C. OTHER COMPONENTS (HARD COPY SUBMISSIONS TO LOCAL HUD FIELD OFFICE)

C-5. Newspaper Ad Promoting and Announcing the Hearing Process

(To be completed after the Public Hearing's ad publishing)

Please Review the next page

La suerte de niños de padres deportados

■ Pareja de Texas cuida a 6 hijos de inmigrantes.

Rose Ybarra
The Associated Press

BEAUMONT, Texas, EE.UU. - Francisco Ceballos, de 5 años, se sienta en la acera y escribe su nombre una y otra vez en un papel, mientras su hermano Víctor, de 7, reflexiona sobre un ejercicio escolar con Christine Norwood, la mujer que ahora lo cuida.

"Tienes que leer esta oración y decir si le hace falta un signo de interrogación o un punto al final", explica Norwood pacientemente. Víctor, mientras los tres están en su pequeño apartamento en Beaumont, "¿Suena esta oración como si estuviera diciendo una pregunta?"

Para los 6-7 años, hay en la casa seis niños más, que llegaron recién en autobuses escolares de la localidad. Norwood los recibe a todos con alegría y la pregunta a cada



Muchos de los niños Ceballos se amontonan en el sofá con la familia Aquino en su apartamento en Beaumont, Texas. Los niños viven con los Aquino desde que su madre fue deportada a México.

uno cómo le fue en la escuela.

Hace un mes, Norwood y su marido Christopher tenían dos hijos adolescentes. De la noche a la mañana quedaron al cuidado de ocho niños en total después de que su amiga Esperanza Ceballos fue detenida.

Luego, acusada de encontrarse ebria en la vía pública —cargos que Norwood considera falsos— Ceballos fue deportada a México.

"Cuando escuchamos que ella fue arrestada, fuimos inmediatamente a recoger a los niños, y ellos están con nosotros desde entonces", dijo Norwood.

Ahora, Norwood cuida desde un niño de 5 años hasta un adolescente de 15, además de sus dos hijos, Anthony Aquino, de 15 años y Daniel Aquino, de 13.

Los niños Ceballos figuran entre miles que han sido separados de sus padres por la deportación de uno o ambos adultos. Por cada dos inmigrantes ilegales deportados, un niño queda abandonado y los recintos de los niños afectados son ciudadanos o residentes legales de Estados Unidos, de acuerdo con estadísticas del Consejo

Nacional La Raza.

Norwood dijo que Esperanza Ceballos tomó la dura decisión de dejar a sus hijos en Beaumont porque ellos solo conocían la vida en Estados Unidos. Tres de los seis niños son esbozadores y todos han asistido a la escuela en este país desde jardín de infantes. Todos los chicos hablan inglés y escriben perfectamente.

"No queremos volver a México", dice Esmeralda Ceballos, de 13 años, nacida en Raleigh, Carolina del Norte. "Queremos quedarnos aquí e ir a la escuela, extrañamos mucho a nuestra mamá, pero la verdad es que no tenemos futuro en México. Ese es nuestro lugar y nuestro país".

Norwood sabía que la esperaba una misión complicada, pero no podía permitir que los niños se perdieran en el camino.

"Si siquiera pensamos", dijo, "¡Stal me pasara, quería que alguien hiciera cosas por mis hijos".

El Servicio de Inmigración de Niños pudo haberse encargado, pero ellos hubieran separado. No tenemos mucho dinero, pero los niños están juntos y felices", dijo Norwood.

La situación no ha sido fácil para los chicos, especialmente para Francisco Víctor, los más pequeños, quienes extrañan "mucho" a su madre, dice Esmeralda Ceballos.

"¿Sabes la necesitan mucho", dicen "¡Lloran por ella".

Los niños no son los únicos que lloran. Esmeralda admite que a veces lo hace también.

Estado Libre Asociado de Puerto Rico
Municipio Autónomo de Humacao

AVISO DE PÚBLICO

El Municipio Autónomo de Humacao, le promueve el Plan Anual del Programa de Sección 8 (Vivienda Subsidada) para el año fiscal 2008-2009. El Plan y todos los documentos a los fines de información pública para ser examinados por los participantes del programa, organizaciones sin fines de lucro, el público en general y todas aquellas interesadas, en las oficinas administrativas del Programa de Sección 8 del Municipio Autónomo de Humacao durante horas regulares de trabajo de 8:00 a.m. a 12:00 p.m. y de 1:00 p.m. a 4:00 p.m.

El Plan Anual, contiene las estrategias que regirán el Programa, para atender las necesidades de vivienda de familias de ingresos bajos y moderados. En este plan se incluyen además la Misión, Objetivos y Metas que le sustentan al Municipio para la operación de su Programa de Renta Subsidada (Sección 8).

Las personas interesadas en enviar comentarios sobre el Plan, podrán presentarlos personalmente en el Departamento de Programas Federales, Oficina de Vivienda Municipal (Sección 8), localizada en el 4to piso del Centro de Gobierno Municipal o podrán escribirlos a la siguiente dirección postal: Apartado 178 Humacao, Puerto Rico 00792.

Además se invita a la ciudadanía en general, a participar de la Vista Pública que se llevará a cabo el viernes, 22 de febrero de 2008 a las 9:00 de la mañana en el Salón de Actividades del 5to piso del Centro de Gobierno Municipal. El propósito de esta vista es recoger comentarios adicionales sobre el Plan. El lugar seleccionado para realizar esta vista es de fácil acceso a personas con impedimento físico.

De requerir asistencia especial, deberán comunicarse con la Oficina de Sección 8 antes de este día al teléfono 787-852-3066 Ext. 2237 con el Sr. Gilberto Rivera López, Coordinador de Vivienda.

Marcelo Trujillo Parissé, alcalde

DE CONFORMIDAD AL 21 CFR 882

Humacao

Una Ciudad con Futuro con Visión Perfecta

COMMONWEALTH OF PUERTO RICO

CORPORACION PUERTO RICO
CINE FILM
COMMISSION

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e-mail: gwarrero@puertoricofilm.com

C. OTHER COMPONENTS (HARD COPY SUBMISSIONS TO LOCAL HUD FIELD OFFICE)

C-6. List of Persons Assisting the Public Hearing

(To be completed after the Public Hearing)

- | | | |
|-----------------------|---|--------------------------------------|
| 1. Gilberto Rivera | – | Section 8 Coordinator (Employee) |
| 2. Margie Maldonado | – | Administrative Assistance (Employee) |
| 3. Marisol Rodríguez | – | Technical Housing (Employee) |
| 4. Lourdes Rodríguez | – | Accountant (Employee) |
| 5. María I. Serrano | - | Technical Housing (Employee) |
| 6. Carmen T. Ortíz | – | Receptionist (Employee) |
| 7. Julio Carrasquillo | – | Owner Housing |
| 8. Maribel Rivera | - | Technical Housing (Employee) |

C. OTHER COMPONENTS (HARD COPY SUBMISSIONS TO LOCAL HUD FIELD OFFICE)

C-8. Consultation Process: Comments of the Resident Advisory Board or Boards & Explanation of PHA Response

C-8-1. BEFORE THE PUBLIC HEARING:

On December 10, 2007, a meeting was held to designate the Participants Advisory Board and to review the Plan Draft. The Program participants were oriented regarding the role and responsibilities of the Board. The proposed changes were presented as well as the plan draft and the last approved plan. The plan and its processes were fully discussed, as well as the new Orientation Booklet: Knowing the Section 8 Program (“Manual de Orientación: Conociendo el Programa de Sección 8”).

The following issues were discussed during the consultation process:

➤ Utilities

- They were brief about the requirements and importance of having the utility payments up-to-date, including the Termination of Assistance Policy for a violation of this responsibility.
- The Board likes the suggestion of requiring:
 - ✓ that utilities must be on the name of the Head of Household, and
 - ✓ making the utility reimbursement payments directly to the utility supplier: Authority for Electricity Supply (AEE) and the Water and Sewer Authority (AAA). This as suggested on the 24CFR982.514 (b), April 2007 version.

➤ Rent

- Rent determination procedures
- Rent reasonability study
 - ✓ They were oriented regarding the importance and necessity of realizing this study, including its purpose.
 - ✓ Some asked why some pay more than others. This was explained as part of the above (including the Orientation Booklet visual presentation).

In general, all briefing procedures and steps requirements were discussed, as well as for the information package. They liked that the information provided in the Orientation Booklet includes information of others PHAs as well as reinforced the policies, by pointing the legal and administrative sources that covers the Program. Also, for them, it will be good that the Mayor and his staff, grants them an audience to discuss some concerns about governmental facilities and public services of the Municipality of Humacao. For example, the viability of spreading out the services and schedule of the Public Transportation offered by the Municipal Door to Door Program (“Transportación Puerta a Puerta”).

Due to the fact that questions were clarified, the Board endorses the plan draft.

C. OTHER COMPONENTS (HARD COPY SUBMISSIONS TO LOCAL HUD FIELD OFFICE)

C-8-2. AFTER THE PUBLIC HEARING:

(To be completed after the Public Hearing)

February 22, 2008

**MINUTES OF PUBLIC HEARING
ANNUAL PLAN 2008-2009**

The Housing Opportunities Program under Voucher (Section 8) of the Municipality of Humacao, conducted on Friday, February 22, 2008 at 9:00 in the morning, holding the Public Hearing for submission of the Annual Plan Fiscal Year 2008-2009. It was held at the 5th floor of the Municipal Government Center.

In this Public Hearing attended by 1 person (external) and several of the employees Section 8 program.

It began the hearing by reading the public notice and discussed the goals, mission, vision and strategies to take place for the new fiscal year, in the Section 8 program. In addition, it was reported the new Guidance Handbook aimed at landlord and tenants.

In the Public Hearing, not issued comments that could affect the preparation of the draft annual action plan prepared.

There being not comments did not affect our Annual Action Plan, proceeded to finish the hearing at 10:20 a.m.

C. OTHER COMPONENTS (HARD COPY SUBMISSIONS TO LOCAL HUD FIELD OFFICE)

C. OTHER COMPONENTS (HARD COPY SUBMISSIONS TO LOCAL HUD FIELD OFFICE)

La suerte de niños de padres deportados

■ Pareja de Texas cuida a 6 hijos de inmigrantes.

Rose Ybarra
The Associated Press

BEAUMONT, Texas, EE.UU. - Francisco Ceballos, de 5 años, se sienta en la acera y escribe su nombre una y otra vez en un papel, mientras su hermano Víctor, de 7, reflexiona sobre un ejercicio escolar con Christine Norwood, la mujer que ahora lo cuida.

"Tienes que leer esta oración y decir si te hace falta un signo de interrogación o un punto al final", explica Norwood pacientemente. Víctor, mientras los tres están en su pequeño apartamento en Beaumont, "¿Suena esta oración como si estuviera diciendo una pregunta?"

Para los 16 años, hay en la casa seis niños más, que llegaron recién en autobuses escolares de la localidad. Norwood los recibe a todos con alegría y la pregunta a cada



Muchos de los niños Ceballos se amontonan en el sofá con la familia Aquino en su apartamento en Beaumont, Texas. Los niños viven con los Aquino desde que su madre fue deportada a México.

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Hace un mes, Norwood y su marido Christopher tenían dos hijos adolescentes. De la noche a la mañana quedaron al cuidado de ocho niños en total después de que su amiga Esperanza Ceballos fue detenida.

Luego, acusada de encontrarse ebria en la vía pública —cargos que Norwood considera falsos— Ceballos fue deportada a México.

"Cuando escuchamos que ella fue arrestada, fuimos inmediatamente a recoger a los niños, y ellos están con nosotros desde entonces", dijo Norwood.

Ahora, Norwood cuida desde un niño de 5 años hasta un adolescente de 15, además de sus dos hijos, Anthony Aquino, de 15 años y Daniel Aquino, de 13.

Los niños Ceballos figuran entre miles que han sido separados de sus padres por la deportación de uno o ambos adultos. Por cada dos inmigrantes legales deportados, un niño queda abandonado y los recintos de los niños afectados son ciudadanos o residentes legales de Estados Unidos, denunció la Comisión del Consejo

Nacional La Raza.

Norwood dijo que Esperanza Ceballos tomó la dura decisión de dejar a sus hijos en Beaumont porque ellos solo conocían la vida en Estados Unidos. Tres de los seis niños son estadounidenses y todos han asistido a la escuela en este país desde el jardín de infantes. Todos los chicos hablan inglés y equitan perfectamente.

"No queremos volver a México", dice Esmeralda Ceballos, de 13 años, nacida en Raleigh, Carolina del Norte. "Queremos quedarnos aquí e ir a la escuela. Si extrañamos mucho a nuestra mamá, pero la verdad es que no tenemos futuro en México. Ese es nuestro lugar y nuestro país".

Norwood sabía que le esperaba una misión complicada, pero no podía poner un instante en hacerse cargo de los niños.

"Ni siquiera lo pensamos", dijo. "Si algo me pasara, quería que alguien hiciera esto por mis hijos".

Casi el Servicio de Protección de Niños pudo haberse encargado, pero dijo los hubiera separado. No tenemos mucho dinero, pero los niños están juntos y felices", dijo Norwood.

La situación no ha sido fácil para los chicos, especialmente para Francisco y Víctor, los más pequeños, quienes extrañan "mucho" a su madre, dice Esmeralda Ceballos.

"¿Sabes la necesitan mucho", cuenta. "Lloran por ella".

Los niños no son los únicos que lloran. Esmeralda admite que a veces lo hace también.

Estado Libre Asociado de Puerto Rico
Municipio Autónomo de Humacao

AVISO DE PÚBLICO

El Municipio Autónomo de Humacao, le presenta el Plan Anual del Programa de Salud 8 (Plan de Salud) para el año fiscal 2008-2009. El Plan y todos los documentos a su infraestructura, están disponibles para ser examinados por los participantes del programa, organizaciones sin fines de lucro, el público en general y todas aquellas interesadas, en las oficinas administrativas del Programa de Sección 0 del Municipio Autónomo de Humacao durante horas regulares de trabajo de 8:00 a.m. a 12:00 p.m. y de 1:00 p.m. a 4:00 p.m.

El Plan Anual, contiene las estrategias que regirán el Programa, para atender las necesidades de vivienda de familias de ingresos bajos y moderados. En este plan se incluyen además la Misión, Objetivos y Metas que le sustentan al Municipio para la operación de su Programa de Renta Subsidada (Sección 0).

Las personas interesadas en enviar comentarios sobre el Plan, podrán presentárselos personalmente en el Departamento de Programas Federales, Oficina de Vivienda Municipal (Sección 0), localizada en el 4to piso del Centro de Gobierno Municipal o podrán escribirlos a la siguiente dirección postal: Apartado 178 Humacao, Puerto Rico 00792.

Además se invita a la ciudadanía en general, a participar de la Vista Pública que se llevará a cabo el viernes, 22 de febrero de 2008 a las 9:00 de la mañana en el Salón de Actividades del 5to piso del Centro de Gobierno Municipal. El propósito de esta vista es recoger comentarios adicionales sobre el Plan. El lugar seleccionado para realizar esta vista es de fácil acceso a personas con impedimento físico.

De requerir asistencia especial, deberán comunicarse con la Oficina de Sección 0 antes de este día al teléfono 787-852-3066 Ext. 2237 con el Sr. Gilberto Rivera López, Coordinador de Vivienda.

Marcelo Trujillo Parissa,
alcalde



DE CONFORMIDAD AL 21 CFR 082

por el desarrollo de
Humacao
2008

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COMMONWEALTH OF PUERTO RICO



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La suerte

escolares de la localidad. Norwood los recibe a todos con alegría y le pregunta a cada

los niños, y ellos están con nosotros desde entonces", dijo Norwood.



Estado Libre Asociado de Puerto Rico
Municipio Autónomo de Humacao



AVISO DE PÚBLICO

El Municipio Autónomo de Humacao ha preparado el Plan Anual del Programa de Sección 8 (Vivienda Subsidiada) para el año fiscal 2008-2009. El Plan y todos los documentos asociados a éste, están disponibles para ser examinados por los participantes del programa, organizaciones sin fines de lucro, el público en general y todos aquellos interesados, en las oficinas administrativas del Programa de Sección 8 del Municipio Autónomo de Humacao durante horas regulares de trabajo de 8:00 a.m. a 12 md y de 1:00 p.m. a 4:30 p.m.

El Plan Anual, contiene las estrategias que seguirá el Programa, para atender las necesidades de vivienda de familias de ingresos bajos y moderados. En este plan se incluyen además, la Misión, Objetivos y Metas que ha establecido el Municipio para la operación de su Programa de Renta Subsidiada (Sección 8).

Las personas interesadas en emitir comentarios sobre el Plan, podrán presentarlos personalmente en el Departamento de Programas Federales, Oficina de Vivienda Municipal (Sección 8), localizada en el 4to piso del Centro de Gobierno Municipal ó podrán escribirnos a la siguiente dirección postal: Apartado 178 Humacao, Puerto Rico 00792.

Además, se invita a la ciudadanía en general, a participar de la Vista Pública que se llevará a cabo el viernes, 22 de febrero de 2008 a las 9:00 de la mañana en el Salón de Actividades del 5to piso del Centro de Gobierno Municipal. El propósito de esta vista es recoger comentarios adicionales sobre el Plan. El Lugar seleccionado para realizar esta vista es de fácil acceso a personas con impedimento físico.

De requerir asistencia especial, deberán comunicarse con la Oficina de Sección 8 antes de éste día al teléfono 787-852-3066 Ext. 2237 con el Sr. Gilberto Rivera López, Coordinador de Vivienda.

Marcelo Trujillo Panisse,
alcalde



DE CONFORMIDAD AL 24 CFR 982



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AVISO DE PÚBLICO

El Municipio Autónomo de Humacao ha preparado el Plan Anual del Programa de Sección 8 (Vivienda Subsidiada) para el año fiscal 2008-2009. El Plan y todos los documentos asociados a éste, están disponibles para ser examinados por los participantes del programa, organizaciones sin fines de lucro, el público en general y todos aquellos interesados, en las oficinas administrativas del Programa de Sección 8 del Municipio Autónomo de Humacao durante horas regulares de trabajo de 8:00 a.m. a 12 md y de 1:00 p.m. a 4:30 p.m.

El Plan Anual, contiene las estrategias que seguirá el Programa, para atender las necesidades de vivienda de familias de ingresos bajos y moderados. En este plan se incluyen además, la Misión, Objetivos y Metas que ha establecido el Municipio para la operación de su Programa de Renta Subsidiada (Sección 8).

Las personas interesadas en emitir comentarios sobre el Plan, podrán presentarlos personalmente en el Departamento de Programas Federales, Oficina de Vivienda Municipal (Sección 8), localizada en el 4to piso del Centro de Gobierno Municipal ó podrán escribirnos a la siguiente dirección postal: Apartado 178 Humacao, Puerto Rico 00792.

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De requerir asistencia especial, deberán comunicarse con la Oficina de Sección 8 antes de éste día al teléfono 787-852-3066 Ext. 2237 con el Sr. Gilberto Rivera López, Coordinador de Vivienda.

Marcelo Trujillo Panisse,
alcalde



DE CONFORMIDAD AL 24 CFR 982



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**Certification by State or Local Official of PHA Plans Consistency with
the Consolidated Plan**

I, MARYLIZ REYES-RODRIGUEZ the FEDERAL PROGRAMS DIRECTOR certify
that the Five Year and Annual PHA Plan of the MUNICIPALITY OF HUMACAO is
consistent with the Consolidated Plan of HUMACAO prepared
pursuant to 24 CFR Part 91.


December 7, 2007
Signed / Dated by Appropriate State or Local Official

Streamlined PHA Plan PHA Certifications of Compliance

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing

PHA Certifications of Compliance with the PHA Plans and Related Regulations: Board Resolution to Accompany the Streamlined Annual PHA Plan

Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the streamlined Annual PHA Plan for PHA fiscal year beginning JULY 2008 hereinafter referred to as the Streamlined Annual Plan, of which this document is a part and make the following certifications, agreements with, and assurances to the Department of Housing and Urban Development (HUD) in connection with the submission of the Streamlined Plan and implementation thereof:

1. The streamlined Annual Plan is consistent with the applicable comprehensive housing affordability strategy (or any streamlined Plan incorporating such strategy) for the jurisdiction in which the PHA is located.
2. The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, and provided this Board or Boards an opportunity to review and comment on any program and policy changes since submission of the last Annual Plan.
3. The PHA made the proposed streamlined Annual Plan, including policy and program revisions since submission of the last Annual Plan, and all information relevant to the public hearing available for public inspection at least 45 days before the hearing, published a notice that a hearing would be held and conducted a hearing to discuss the streamlined Plan and invited public comment.
4. The PHA will carry out the streamlined Annual Plan in conformity with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990.
5. The PHA will affirmatively further fair housing by examining their programs or proposed programs, identify any impediments to fair housing choice within those programs, address those impediments in a reasonable fashion in view of the resources available and work with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement and maintain records reflecting these analyses and actions.
6. For streamlined Annual Plans that include a policy or change in policy for site-based waiting lists:
The PHA regularly submits required data to HUD's MTCIS in an accurate, complete and timely manner (as specified in PIH Notice 99-2);
The system of site-based waiting lists provides for full disclosure to each applicant in the selection of the development in which to reside, including basic information about available sites; and an estimate of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types at each site;
Adoption of site-based waiting list would not violate any court order or settlement agreement or be inconsistent with a pending complaint brought by HUD;
The PHA shall take reasonable measures to assure that such waiting list is consistent with affirmatively furthering fair housing;
The PHA provides for review of its site-based waiting list policy to determine if it is consistent with civil rights laws and certifications, as specified in 24 CFR part 903.7(b)(2).
7. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
8. The PHA will comply with the Architectural Barriers Act of 1968 and 24 CFR Part 41, Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped.
9. The PHA will comply with the requirements of section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low- or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.
10. The PHA has submitted with the streamlined Plan a certification with regard to a drug-free workplace required by 24 CFR Part 24, Subpart F.
11. The PHA has submitted with the streamlined Plan a certification with regard to compliance with restrictions on lobbying required by 24 CFR Part 87, together with disclosure forms if required by this Part, and with restrictions on payments to influence Federal Transactions, in accordance with the Byrd Amendment and implementing regulations at 49 CFR Part 24.
12. The PHA will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.
13. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
14. The PHA will provide HUD or the responsible entity any documentation that the Department needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58.
15. With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.
16. The PHA will keep records in accordance with 24 CFR 85.20 and facilitate an effective audit to determine compliance with program requirements.

MHAM

17. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act and 24 CFR Part 35.
18. The PHA will comply with the policies, guidelines, and requirements of OMB Circular No. A-87 (Cost Principles for State, Local and Indian Tribal Governments) and 24 CFR Part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments.).
19. The PHA will undertake only activities and programs covered by the streamlined Annual Plan in a manner consistent with its streamlined Annual Plan and will utilize covered grant funds only for activities that are approvable under the regulations and included in its streamlined Plan.
20. All certifications and attachments (if any) to the streamlined Plan have been and will continue to be available at all times and all locations that the PHA streamlined Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the streamlined Plan and additional requirements at the primary business office of the PHA and at all other times and locations identified by the PHA in its streamlined Annual Plan and will continue to be made available at least at the primary business office of the PHA.
21. The PHA certifies that the following policies, programs, and plan components have been revised since submission of its last Annual PHA Plan (check all policies, programs, and components that have been changed):

- N/A 903.7a Housing Needs
- x 903.7b Eligibility, Selection, and Admissions Policies
- N/A 903.7c Financial Resources
- N/A 903.7d Rent Determination Policies
- N/A 903.7h Demolition and Disposition
- N/A 903.7k Homeownership Programs
- N/A 903.7r Additional Information
- N/A Progress in meeting 5-year mission and goals
- N/A Criteria for substantial deviation and significant amendments
- N/A Other information requested by HUD
- N/A Resident Advisory Board consultation process
- N/A Membership of Resident Advisory Board
- N/A Resident membership on PHA governing board

22. The PHA provides assurance as part of this certification regarding its streamlined annual PHA Plan that:
- (i) The Resident Advisory Board had an opportunity to review and comment on the changes to the policies and programs before implementation by the PHA;
- (ii) The changes were duly approved by the PHA board of directors (or similar governing body); and
- (iii) The revised policies and programs are available for review and inspection, at the principal office of the PHA during normal business hours.

Municipality Of Humacao

PHA Name

RQ025

PHA Number

Streamlined Annual PHA Plan for Fiscal Year: 2008-09

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official

MARIA N. ALVAREZ

Title

ACTING MAYOR

Signature

X

Date

MARCH 27, 2008



DEPARTAMENTO DE VIVIENDA SECCION B

HOJA DE ASISTENCIA DE JUNTA DE RESIDENTES
10 de diciembre de 2007

Nombre del Participante	Número de Vale	Dirección Postal	Teléfono	Firma
José M. Agosto		urb. Las Leandras	285 4292	José M. Agosto
Shirley Rivera Samin	606	c/ 5/V-6 HCAO P.R. 00794		Shirley Rivera
Ivette Uldes Arroyo	V365	urb. Verde Mar calle 19 # 455 Pta. Sto. P.R.	(787) 850-8355	Ivette Uldes Arroyo
Maria J. Reyn		Calle 31 # 1004 Verde Mar Cam. 8080 # 9710		Maria J. Reyn
Walter Acosta Ortiz		Verde Mar c/ 17 # 161 Pta. Sto.	(787) 588-5745	Walter Acosta Ortiz
Marangel Reyes	V663	HCAO Box 4471 HCAO P.R. 00794	(787) 306-9520	Marangel Reyes
Damaris Vega		HCAO Box 4640 HCAO	617-6905	Damaris Vega
Blanca del C. Loto Lag		Urb. Madrid A-2 HCAO	787-285-0164	Blanca del C. Loto Lag
Emelene Torres Truado		P.O. Box 715 H.	556-2981	Emelene Torres Truado
ST. Rodis3 Burgos		Urb. Villa Universitaria C12-1227, HCAO P.R.	556-2107	ST. Rodis3 Burgos
Mayra M. Ruiz Torres		Urb. Verde Mar C 44 # 1018 Punta Santiago	400-2663	Mayra M. Ruiz Torres



DEPARTAMENTO DE VIVIENDA SECCION 8

HOJA DE ASISTENCIA VISTAS PUBLICAS - PLAN ANUAL 22 DE FEBRERO DE 2008

Nombre	Agencia Que Representa	Firma
1. Gilberto Rivera López	Sec. 8 Mun. Hcar	
2. Margie Maldonado Alicea	Sec. 8 Mun. Hcar	
3. Marisol Rodríguez Rodríguez	Sec. 8	
4. Lourdes Rodríguez Velázquez	Sección 8	
5. Yvonne Isabel Pérez Hernández	Sección 8	
6. Carmen T. Delys Colón	Sección 8	
7. Luis Carrasquillo	DESEO CASA	
8. Maikel Rivera Huertas	Sección 8	
9.		
10.		



DEPARTAMENTO DE VIVIENDA ***SECCION 8***

December 10, 2007

MINUTES OF THE BOARD OF RESIDENTS ANNUAL PLAN 2008-2009

At the meeting with the Board of residents formed by eleven (11) Programs resident Section 8 of the municipality of Humacao, on December 10, 2007 at 9:30 in the morning at the Conference Room of the Department of Programs Federal, on the 4th floor of the Municipal Government Center.

It began the meeting by giving the good morning and was informed residents, the purpose of the meeting. We read the public notice to be patterned in the newspaper El Vocero on Thursday, December 20, 2007.

Later in the meeting, they discussed the Annual Plan 2008-2009 proposed program and comply with the requirements set by the Federal Department of Housing, discussing the following topics:

1. Mission Program
2. Objectives
3. Goals for the new fiscal year
4. Administrative Plan
 - A. Number of "vouchers" assigned and / or approved by HUD, the PHA
 - B. Incorporation of the Guidance Manual aimed at Landlord and Tenants
 - I. Summaries of Administrative Procedures
 - II. Tours Programmer
 - III. Applicable Laws
 - IV. Public Policy
 - V. Program Description
 - VI. Description "voucher" or Vale Housing
 - VII. Housing Unit
 - VIII. Approval and disapproval of a dwelling
 - IX. Access to Housing
 - X. Utilities
 - XI. Lease Contracts
 - XII. Contract "PAH" and "Lease"
 - XIII. Cancellation Procedures
 - XIV. General Information

At this meeting with the Board of Residents, no comments were issued that could affect the development of our draft annual plan and the Administrative Plan.

Closure of the meeting at 11:45 in the morning.

Gilberto Rivera Lopez – Housing Coordinator



DEPARTAMENTO DE VIVIENDA
SECCION 8

February 22, 2008

**MINUTES OF PUBLIC HEARING
ANNUAL PLAN 2008-2009**

The Housing Opportunities Program under Voucher (Section 8) of the Municipality of Humacao, conducted on Friday, February 22, 2008 at 9:00 in the morning, holding the Public Hearing for submission of the Annual Plan Fiscal Year 2008-2009. It was held at the 5th floor of the Municipal Government Center.

In this Public Hearing attended by 1 person (external) and several of the employees Section 8 program.

It began the hearing by reading the public notice and discussed the goals, mission, vision and strategies to take place for the new fiscal year, in the Section 8 program. In addition, it was reported the new Guidance Handbook aimed at landlord and tenants.

In the Public Hearing, not issued comments that could affect the preparation of the draft annual action plan prepared.

There being not comments did not affect our Annual Action Plan, proceeded to finish the hearing at 10:20 a.m.

Gilberto Rivera Lopez
Housing Coordinator

Municipality of Humacao Housing Agency of the City of Humacao, PR:
Administrative Plan and Procedures
FOR THE SECTION 8 TENANT BASED
***HOUSING CHOICE VOUCHER* RENTAL ASSISTANCE PROGRAM**

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A. PURPOSE

These policies and procedures are adopted by the Municipality of Humacao Housing Agency to set forth the essential elements to implement Title 24 of the Code of Federal Regulations (CFR), as established in 24 CFR Part 5 Subpart F (Definition of Income and General Factors of Eligibility), as amended; the Housing Voucher Program as established in 24 CFR Part 982.

B. DEFINITIONS

Unless otherwise clear from the context as used herein, the following terms for the purpose of this rule shall mean:

1937 Act: Section 8 of the U.S. Housing Act of 1937 as amended

Adjusted Income: Annual income less certain allowances as outlined in 24 CFR 5 Subpart F, as amended.

Admission: The effective date of the first HAP contract for a family in a tenant-based program. This is the point when the family becomes a participant in the program.

Housing Agency: Municipality of Humacao Housing Agency

Annual Contributions Contract (ACC): A written agreement between HUD and the Housing Agency to provide annual contributions to cover housing assistance payments and other related expenses. This is now a consolidated agreement for the Section 8 Rental Voucher Programs.

Annual Income: The anticipated total income of a family for a 12-month period as outlined in 24 CFR 5, as amended.

Assets: Net cash value as outlined in 24 CFR 5 Subpart F, as amended

Child Care Expenses: Amounts anticipated to be paid by the family for the care of children under 13 years of age as outlined in 24 CFR 5, as amended

Citizen: A family member who is a U.S. Citizen by birth, a naturalized citizen or a national of the United States of America.

City: Humacao, PR

Contract of Participation (FSS Contract): A contract, as described in 24 CFR 984.103, that sets forth the terms and conditions governing the FSS family's participation in the FSS program.

Continuously Assisted Family: Families who have received any form of federal housing Assistance under the U.S. Housing Act of 1937, as amended, within the 120 day period preceding the date of the eligibility interview shall be considered “income eligible”, if otherwise eligible under the remaining program rules.

Dependent: A member of the eligible family household other than family head or spouse, who is under 18 years of age or **is age 18 and older AND** is a disabled person or handicapped person or is a full-time student.

Disabled Person: A person with a disability as defined in 24 CFR 5, as amended.

Displaced Person: A person as defined in 24 CFR 5, as amended, or a person displaced pursuant to a HUD directive, or a person whose dwelling has been extensively damaged by fire or natural disaster.

Domicile: The legal residence of the household head or spouse as determined in accordance with State and local laws.

Drug-related criminal activity: Drug-trafficking; or Illegal use, or possession for personal use, of a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).

Drug trafficking: The illegal manufacture, sale or distribution, or the possession with intent to manufacture, sell or distribute a controlled substance.

Elderly Family: A family as defined in 24 CFR 5, as amended.

Elderly Person: A person who is at least 62 years of age.

Family: A family consisting of two or more persons sharing residency who are either related by blood, marriage, or operation of law or have evidenced a stable family relationship and as defined in 24 CFR 5, as amended.

Fair Market Rent: The maximum rent, including utilities, as annually established by HUD for dwelling units of varying sizes (number of bedrooms) for the purpose of establishing local payment standards.

Family Income (Annual Income): Income as defined in 24 CFR 5, as amended.

Family Self Sufficiency Program or FSS Program: The program established by the Municipality of Humacao Housing Agency to promote self-sufficiency among participating families, including the provision of supportive services to these families.

FSS Family or Participating Family: A family that receives assistance under the Section 8 Housing Choice Voucher program, and that elects to participate in the FSS program, and whose designated head of the family has signed the contract of participation.

FSS Related Service Program: Any program, publicly or privately sponsored, that offers the kinds of supportive services determined to be appropriate in assisting FSS families achieve economic independence and self-sufficiency.

FSS Slots: The total number of vouchers that comprise the *minimum program size* of the Municipality of Humacao Housing Agency's FSS program.

Family unit size: The appropriate number of bedrooms for a family pursuant to the Housing Agency's duly adopted *subsidy standards* determines family unit size.

Funding Increment: Each commitment of budget Housing Agency by HUD to a Housing Agency under the consolidated annual contributions contract for the Housing Agency program.

Full-time Student: A person who is in full-time attendance (equal to a full-time day student) under the standards and practices of the educational institution he or she is attending.

Gross Rent: The Contract Rent plus any utility allowance for tenant paid utilities and other services.

Handicapped Person: A person having a physical or mental impairment as defined in 24 CFR 5.

Head of Household: The adult member of the family who is the head of the household for purposes of determining income eligibility and rent.

Homeless Family: A person or family as defined in 24 CFR 5 Subpart F, as amended.

Housing Assistance Payment (HAP): The monthly rental assistance payment remitted by the Housing Agency on behalf of a Section 8 participant.

Housing Choice Voucher: New and only form of Section 8 tenant based rental assistance as of October 1, 1999.

INS: The U.S. Immigration and Naturalization Service.

HUD Requirements: HUD requirements are issued by HUD headquarters; such as regulations, Federal Register notices, handbook requirements or other binding program directives for the Section 8 housing voucher program.

Housing Assistance Payments Contract ("Contract"): A written contract between the Housing Agency and an owner to make Housing Assistance Payments to the owner on behalf of an eligible family participating in the Housing Choice Voucher Program.

Housing Choice Voucher: A document (HUD Form 52646) issued by the Housing Agency declaring a family to be eligible for participation in the Section 8 Housing Choice Voucher Program and stating the terms and conditions for the family's participation.

Housing Quality Standards (HQS): The inspection performance requirements and acceptability criteria for housing set forth in 24 CFR 982.401, as amended.

HUD: The United States Department of Housing and Urban Development.

Involuntary Displacement: Displacement of a person or family as outlined in 24 CFR 5 Subpart F.

JTPA Program: Program covered under the *Jobs Training Partnership Act*.

Live-in Aide: A person as defined in 24 CFR 5 Subpart F, as amended.

Lower-Income Family: A family whose income does not exceed 80 percent of the median income for the City as determined by HUD with adjustments for size of family.

Medical Expenses: Those medical expenses which are anticipated to be incurred during the 12-month period for which the Annual Income is computed, and which are not covered by medical insurance (premiums for such medical insurance may be included as medical expenses) or any other source.

Merger Date: The date HUD officially merged the rules governing the Certificate and Voucher Programs into one form of rental assistance (i.e., October 1, 1999).

Mixed family: A family whose members include those with citizenship or eligible immigration status, and those without citizenship or eligible immigration status.

Moderate Rehabilitation: Generally defined to mean required dwelling unit repairs required to meet or exceed HQS at a total cost of \$1,000.00 5,000.00 per unit.

Monthly Income: One-twelfth of the Annual Income (also called Monthly Gross Income).

Monthly Income After Allowances: One-twelfth of the Adjusted Income.

Near-Elderly: A person who is at least 50 years of age but below the age of 62.

Non-Citizen: A person who is neither a citizen nor a national of the United States.

Owner: Any person or entity, including a cooperative, having the legal right to lease or sub-lease a unit to participant.

Payment Standard: A schedule of amounts adopted by the city for each bedroom size that is used to determine the housing assistance (subsidy) a family will receive in the Voucher Program.

Portability: Moving with a Section 8 housing choice voucher rental assistance (subsidy) to a dwelling unit outside of the jurisdiction of the issuing or initial Public Housing Agency.

Pre-Merger Certificate: Section 8 Certificate issued to a qualified family before October 1, 1999.

Pre-Merger Voucher: Section 8 Voucher issued to a qualified family before October 1, 1999.

Premises: The building or complex in which the dwelling unit is located, including common areas and grounds.

Public Assistance: Welfare or other payments to families or individuals based on need, which are made under programs funded, separately or jointly, by the Federal and/or State governments.

Public Housing Agency: PHA

Remaining Member. A *remaining member of a tenant family* is a family member of an assisted tenant family who remains in the unit when other members of the family have left the unit. To remain in occupancy with continued rental assistance the remaining tenant family member must be of legal age to enter into a lease pursuant to state law, and must not be a current or recent participant in criminal activity as defined under the 1998 PHRA.

Rental Agreement: A written agreement between an owner and an eligible family to rent a unit.

Rent to Owner: The rent payable to the owner as approved by the PHA pursuant to the owner's request and the rent reasonableness criteria.

Reasonable Rent: A rent to owner that is not more than either the rent charged for comparable units in the private unassisted market; or rent charged by the owner for a comparable assisted or unassisted unit in the building or premises.

Residency Preference: A Housing Agency preference for admission of families that reside anywhere in a specified area, including families with a member who works or has been hired to work in the area ("residency preference area").

Residency Preference Area: The specified area where families must reside to qualify for a *residency preference*.

Section 214: Section 214 of the *Housing and Community Development Act of 1980* as amended (42 U.S.C. 1436a). Section 214 restricts HUD from making financial assistance available for non-citizens unless they meet one of the categories of eligible immigration status specified in Section 214.

Single Person: A person living alone or intending to live alone.

Special Admission: Admission of an applicant that is not on the PHA's waiting list, or admission without considering the applicant's waiting list position, such as a person who is displaced by HUD action with the promise of Section 8 rental assistance.

Spouse: Spouse refers to the marriage partner, either a husband or wife, who is someone you need to divorce in order to dissolve the relationship.

Subsidy Standards: Standards established by a Housing Agency to determine the appropriate number of bedrooms and amount of subsidy for families of different sizes and compositions. (See definition of Family Unit Size)

Supportive Services: Those appropriate services that the Housing Agency will make available to an FSS family under a contract of participation. These services may include childcare, transportation, education, employment, counseling, and other services determined to be appropriate in assisting FSS families achieve economic independence and self-sufficiency.

Suspension: Stopping the clock on the term of a family's voucher, for such period as determined by the Housing Agency, from the time when the family submits a request for Housing Agency approval to lease a unit, until the time when the Housing Agency approves or denies the request.

Substandard Housing: Housing that is physically deficient as defined in 24 CFR 982.219, as amended.

Tenancy Addendum: The lease language required by HUD to be included in the lease between the tenant and the owner.

Tenant: The person or persons who executes the lease or lessee of the dwelling unit.

Tenant Rent: The amount payable monthly by the family as rent to the owner.

Total Tenant Payment (TTP): The monthly cost of rent and utilities payable by the assisted family consistent with the HUD-required formula.

U.S. Department of Housing and Urban Development: HUD

Utility Allowance: An amount equal to the estimate established by the Housing Agency of the monthly costs of utilities (except telephone) and other housing services for an assisted unit, which are not included in the tenant rent, but is the responsibility of the family occupying the unit.

U.S. National: A person who owes permanent allegiance to the United States, for example, as a result of birth in a United States territory or possession, including Puerto Rico, the U.S. Virgin Islands, Guam, Canal Zone, etc.

Utility Reimbursement Payment: The amount, if any, by which the Utility Allowance for the unit, if applicable, exceeds the Total Tenant Payment for the family occupying the unit. This amount can be paid directly to the tenant or the Utility Supplier pursuant to the PHA's adopted policy.

Very Low-Income Family: A family whose income does not exceed 50 percent of the median income for the City as determined by HUD, with adjustments for size of family.

Violent Criminal Activity: Any illegal criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force against the person or property of another.

Waiting List Admission: An admission from the Housing Agency's waiting list.

C. GENERAL APPLICABILITY AND SCOPE

The policies and procedures contained herein are applicable to the making of housing assistance payments on behalf of eligible families pursuant to the provisions of Section 8 of the U.S. Housing Act of 1937, as amended. To implement the Housing Choice Voucher Program, the Housing Agency, with the approval of HUD, is authorized to make housing assistance payments on behalf of eligible families who rent units which meet or exceed HUD's Housing Quality Standards (HQS) during the period of the ACC.

PC-§1.00 Scope of the Section 8 Administrative Plan

The Section 8 housing choice voucher program is federally funded and locally administered by the Municipality of Humacao Housing Agency through its Section 8 housing office (hereinafter referred to as the office or the program).

Local rules, which are made a part of this Section 8 Administrative Plan, are intended to promote local housing objectives consistent with the intent of the federal housing legislation.

Local Programs subject to the provisions of this Section 8 Administrative Plan, as applicable, include:

- Pre-Merger Rental Vouchers
- Housing Choice Vouchers

Required program forms are located in HUD Handbook 7420.8 and on the worldwide web at www.hudclips.org.

PC-§1.01 Statement of Compliance with Applicable Fair Housing Laws

The Municipality of Humacao Housing Agency is an equal opportunity employer and an equal opportunity housing provider.

The Housing Agency will administer its housing programs in a nondiscriminatory manner without regard to race, color, creed, national origin, religion, sex, age, handicap or familial status. The Housing Agency will comply with all federal, state and local fair housing Statutes, Executive Orders and comparable laws, including, but not necessarily limited to:

- a. Title VI of the Civil Rights Act of 1964, as amended
- b. Title VII of the Civil Rights Act of 1968, as amended
- c. Section 504 of the Rehabilitation Act of 1973, as amended
- d. Fair Housing Amendments Act of 1988
- e. Title II of the Americans with Disabilities Act
- f. State/local Fair Housing Laws

The Housing Agency will provide federal/state/local information regarding discrimination and recourse in the event of discrimination.

Prospective and participating landlords will be apprised of applicable Fair Housing Laws and the Housing Agency's policy regarding the full range of actions to be taken against landlords involved in discriminatory leasing practices.

The Housing Agency subscribes to HUD's open-housing policy and will maintain lists of available housing to ensure greater housing choice/opportunities for low-income households served by this Housing Agency.

If an applicant or participating family believes they have been the victims of illegal discrimination the Housing Agency will provide:

- HUD's Fair Housing Brochure (dated 7/90);
- Assistance in completing HUD form 903; and/or
- Referral to the Regional HUD Office of Fair Housing.
- Referral to state or local fair housing organizations

The MAHA may extend the family's term of voucher ("search time"), not to exceed 150 days, where there is sufficient evidence to lead the agency to believe the family's efforts to locate suitable housing has been impeded by discriminatory actions (or inactions) by prospective landlords or realtors.

PC-§1.02 Applicability of the Privacy Act

The Housing Agency will facilitate the full exercise of rights conferred on individuals under the Privacy Act of 1974, [5 U.S.C. 552A] and will ensure the protection of privacy as to individuals about whom the office maintains records under its Section 8 Housing Choice Voucher Housing Program, except that information which is part of the applicant or tenant's file with regard to current/prior participation in drug-related or violent criminal activity, history of excessive damage to units created by applicant or tenant-family, or eviction from Section 8 assisted units, will be shared with prospective landlords.

A release form, executed by all adult family members, will accompany any requests for release of information.

D. PUBLIC NOTICE TO LOWER-INCOME AND/OR VERY LOW-INCOME FAMILIES

1. Notice of Availability of Housing Assistance

The Housing Agency shall periodically make known to the public through publication in a local daily newspaper of general circulation, minority print media and other suitable means, the availability and nature of housing assistance for Low-Income families. The notice shall further inform such families where and how they may apply for Section 8 Voucher assistance. The notice shall also state that occupants of housing assisted under the 1937 Act, and applicants on waiting lists for any such housing, must apply if they wish to be considered for a Voucher. In addition, the notice shall state that applicants for a Section 8 Voucher will not lose their place on the waiting list for public housing at the Municipality of Humacao Housing Agency.

2. Notice in Accordance with HUD Guidelines

Such notice shall be made in accordance with the Housing Agency's most recently adopted Section 8 Administrative Plan. Upon request, the Housing Agency shall send to the HUD field office a copy of the Section 8 Administrative Plan.

3. Opening and Closing the Waiting List

The Housing Agency will give public notice when the waiting list is opened, including any limitations on who may apply. If the Housing Agency determines that its waiting list contains an adequate pool for use of its available funding, the Housing Agency may stop accepting applications.

4. Policy Governing Cross-Listing and Merging of Waiting Lists

The Municipality of Humacao Housing Agency will not merge its Section 8 tenant-based assistance waiting lists with its project-based waiting lists for conventional public housing.

The agency will maintain a single, automated waiting list for Section 8 applicants consistent with HUD's instructions under Part 1 of the Section 8 Conforming Rule. If the public housing waiting list is open at the time a family submits a pre-application for Section 8 assistance the family will be afforded the opportunity to be cross-listed on the Municipality of Humacao Housing Agency's public housing waiting list with the:

- a. Same date/time of application
- b. Same preference codes.

5. Notice of Nondiscrimination

All notices of general circulation regarding the availability of the program, and any notices to prospective applicants/participants or owners shall state the Housing Agency promotes nondiscrimination in housing and will assist any family who alleges discrimination by staff and/or owners. Such assistance may include any of the following: (a) assisting the family in completing HUD Form 903; (b) referring the family to the local legal aid society; (c) providing the family with the toll free number for HUD's Office of Fair Housing in Washington, DC.

PD-\$1.00 Statement of Program Approach and Planned Outreach

The Housing Agency will implement its Section 8 Rental Assistance Program in a manner consistent with the Housing Agency's mission of providing "*decent, safe, sanitary, and affordable*" housing. The Municipality of Humacao Housing Agency will promote outreach about its programs and services, regarding the availability and nature of the Section 8 housing choice voucher program.

Outreach methods and strategy will be redesigned if it is determined that a particular segment or segments of the community are not being reached.

Efforts to reach those persons where English may not be their first language will include the use of:

- a. HUD forms which are printed in different languages; and
- b. Public notices in newspapers that serve various non-English speaking populations.

Newspapers to be used to advertise the availability of the program and to recruit owners of rental housing outside areas of low income and high minority concentration may include, but will not necessarily be limited to:

- a. El Nuevo Dia
- b. El Vocero de Puerto Rico
- c. Primera Hora

During periods of time when the Housing Agency is accepting applications, interested persons will be afforded the opportunity to make written pre-application for assistance, even if it appears through discussion with the applicant that they may not qualify for assistance. All determinations of eligibility for the waiting list will be made solely based upon the written or oral representations of the family on the pre-application housing application forms. If a family appears to be eligible they will be placed on the waiting list. A final determination of eligibility will not occur until the Housing Agency actually has a form of assistance available to offer the family. At that time, the Section 8 program staff will conduct the family's final eligibility interview and undertake the required verification procedures.

To facilitate agency compliance with HUD's *income targeting requirements* an assertive effort to identify and assist *extremely low income families* will be accomplished through outreach activities with:

- Department of Family and Children's Services (local PAN or TANF agency)
- Puerto Rico Department of Employment Services
- Puerto Rico Board of Education
- Local hospitals, colleges and universities

The AHA will notify organizations representing persons with disabilities and ethnic minority populations of the period of time for which applications for Section 8 rental assistance will be provided. These same organizations will be recruited to assist the populations they serve by:

- Providing transportation to the interview and to search for housing outside of areas of high poverty or minority concentration;
- Assisting the applicant in organizing family data to be brought to the interview;
- Negotiating rents and security deposits with prospective landlords;
- Securing required security and/or utility deposits;
- Acquiring furniture.

The application will ask how the applicant heard about the program as a means of feedback on the effectiveness of the agency's outreach program, and to modify its strategy to reach under-represented populations.

PD-§1.01 Maintaining The Waiting List

The Municipality of Humacao Housing Agency maintains a master waiting list for the Section 8 Housing Choice Voucher Programs.

The waiting list will provide the following information on apparently eligible households who have an active form of application (pre-application or full application):

- a. Name of head of household;
- b. Date and time the pre-application was received;
- c. Unit size(s) most appropriate to meet the family's needs;
- d. Preference status codes; and
- e. Race/ethnicity of head of household
- d. Annual Income (for income-targeting compliance)

PD-§1.02 Policy and Procedures Governing *Income Targeting* in Section 8 Waiting List Selections

The Municipality of Humacao Housing Agency will implement *income targeting* consistent with the provisions of the Public Housing Reform Act of 1998. Family selections from the waiting list will be made in a manner that assures at least seventy five percent (75%) of all new admissions within the PHA's fiscal year have income at or below the *extremely low income* (ELI) limit for this area.

To ensure compliance with this requirement the agency will code its waiting list applicants by *income range* as follows:

Code 1= low *income* (i.e., family income reported at 51-80% of area median income);

Code 2= very low *income* (i.e., family income reported at 31-50% of area median income); and

Code 3= *extremely low income* (i.e., family income reported at zero to 30% of area median income).

The Municipality of Humacao Housing Agency may select an applicant from its waiting list based on income range, and without regard to locally adopted preferences in tenant selection, if necessary to assure federal compliance with *annual income targeting requirements* for the Section 8 housing choice voucher program.

Section 8 program management staff will undertake the following procedures to establish and maintain compliance with its *income targeting requirements*:

- Step 1: 90 days prior to the start of the new fiscal year, collect the data required to estimate the annual gross incomes of waiting list applicants (see *income codes* on the waiting List);
- Step 2: Estimate the number of families expected to be admitted over course of upcoming fiscal year based on historical data (use unit turnover data from current fiscal year);
- Step 3: Estimate number of families to be selected from the waiting list to facilitate 100% lease-up in upcoming fiscal year (use *success rate data* on number vouchers issued vs. number of contracts executed in current fiscal year);
- Step 4: Based on current distribution of ELI families on the waiting list determine if the MAHA can accomplish its requirement for 75% ELI admissions utilizing its “regular” tenant selection process, or if agency must intensively monitor waiting list selections to determine need to implement strategy (e.g., suspend regular *preferences* for ELI preference; open the waiting list for new ELI applicants; increase outreach to organizations representing the ELI populations).

PD-\$1.03 Updating The Waiting List

The Housing Agency will initiate a periodic update of the applications received. The applicant will:

- Be mailed an update letter of interest regarding continued interest (sent by 1st class mail to the applicant's most recently reported address);
- Be required to complete the update form and return it within thirty (30) calendar days of mailing by the Housing Agency in order to maintain their name on the waiting list.

If the family fails to respond within the specified time period they will be determined ineligible and sent a notice with the reason and their right to request an informal review. For each notice returned marked “*Addressee Unknown*”, staff will close the application, attach the returned notice and envelope, and file and maintain for three (3) years.

For each application for which there has been no response and no returned notice, the MAHA will send a second notice by certified mail providing a final deadline. When the final deadline passes with no response, the family’s application will be closed and maintained with the record of certified delivery for a period of three years.

Any changes in the family's circumstances that affect their place on the waiting list, such as a change in local preferences, will be made as of the date of the Application Update with the Housing Agency.

The family will maintain their original date of application no matter how many times there are changes in their circumstances while they are on the waiting list.

PD §1.04 Closing And Reopening The Waiting List

The Housing Agency reserves the right to:

1. Discontinue application taking for all or some targeted applicant families when it has been determined by the Housing Agency's Manager or designee that there is insufficient funding;
2. Give public notice whenever the waiting list will reopen through a local newspaper of general circulation and selected minority print media;
3. State where and when interested persons may apply and any limitations on who may apply, as well as any reasonable accommodations for persons with disabilities who wish to apply.

PD-§1.05 Selections From The Section 8 Waiting List

Families will be selected for program participation as either a waiting list selection or special admission (non-waiting list admission).

"Special admissions" are made without regard to the family's position on the waiting list or even if the family is not on the waiting list. These admissions occur only when HUD gives the Housing Agency a special allocation of Section 8 funding for specific families living in certain targeted units. Special admissions are permitted when HUD provides special funding for general categories of targeted families such as the homeless or families displaced due to natural disaster, or due to the sale of a HUD foreclosure.

E. PUBLIC NOTICE AND INVITATION TO OWNERS

1. Solicitation to Owners

The Housing Agency shall periodically solicit owners through publication in a local newspaper of general circulation and other suitable means to make dwelling units available for rental by eligible families. In so doing, the Housing Agency shall encourage participation by owners of units in areas other than those with concentrations of low-income or minority families.

Solicitation to owners shall be made in accordance with the applicable HUD guidelines. The Housing Agency shall prepare and distribute *owner's fact sheets and owner's briefing packets*, which explain the basic program requirements and owner benefits to participating in the Section 8 rental assistance programs. The Section 8 staff shall also address members of local organizations representing the rental market.

The Section 8 staff shall prepare maps that show various areas, both within and neighboring its jurisdiction, to assist families in renting housing outside areas of poverty or minority concentration. The maps will be used during briefing sessions, along with information about job opportunities, schools and services in these non-impacted areas to encourage the applicants to consider these areas when seeking a place to live. To further support this effort, to de concentrate pockets of poverty, the Section 8 staff shall include in the tenant's briefing packet a list of owners who are willing to lease, or properties available for lease under the voucher program, or a list of other organizations that will help families find units. The list shall include properties or organizations that operate outside areas of poverty or minority concentration.

2. Contacts with Organizations

The Housing Agency shall periodically:

- a. Request the HUD field office to furnish a list of HUD held properties available for rent in the San Juan – Guaynabo specifically in Humacao Metropolitan Area,
- b. Develop working relationships with owners and real estate broker associations,
- c. Establish contact with civic, charitable or neighborhood organizations which have an interest in housing for low-income families, and public agencies concerned with obtaining housing for displacements, and
- d. Explain the program, including equal opportunity requirements and Section 504 nondiscrimination requirements, to real estate agents, landlords, and other groups that have dealings with low-income families or are interested in housing such families.

F. ELIGIBILITY CRITERIA

1. Family Qualification for Rental Assistance

All applicants must qualify under the following factors of eligibility. This includes family's ability to meet the Housing Agency's/ HUD's *definition of a family; document U.S. Citizen, U.S. national or eligible immigration status; have income at or below 50% of median income; not owe the Housing Agency or any other HA monies as a prior Section 8 participant; within the past 3 years no participation in drug-related or violent criminal activity, provide all applicable certifications and documentation.*

2. Projected Income Indeterminable or Determinable for a Short Period

If a family is determined to have *unstable income* or reports *zero income* the Housing Agency shall place the family on a more frequent than annual re-examination schedule. Based upon individual circumstances this may result in a 30, 60 or 90-day interim reporting schedule. It is expected that most such families will be subject to a 90-day interim reporting requirement.

3. Family with Outstanding Balance Owed

An applicant with an outstanding balance owed to the Housing Agency in connection with its Section 8, public housing and/or other housing programs under the 1937 Act will be declared ineligible for housing assistance until the outstanding balance is paid in full. If an applicant family is determined to owe the Housing Agency or another Housing Agency money as a prior participant in the Section 8 or public housing programs it is the policy of this Housing Agency to offer the family the opportunity to enter into a repayment agreement while on the waiting list.

When the family reaches the top of the waiting list all prior monies owed must be paid in full as a factor of initial eligibility. Family must make full payment within 14 calendar days of the final eligibility interview. Failure to do so will result in denial of eligibility and family's name will be removed from the waiting list. Each family so denied will be advised in writing with procedures to follow to request an informal review.

For participating families, the Housing Agency may offer a repayment agreement. The family's non-compliance with the terms of the repayment agreement is considered grounds for termination of program participation. The Housing Agency will give both the family and the owner 30 days written notice of intent to terminate for family's failure to comply.

Applicants and participant families will be offered the opportunity for an informal review or hearing in accordance with Section Y of this plan.

4. Prior Termination from Section 8 Program

The Municipality of Humacao Housing Agency may deny assistance to the applicant if the applicant has been previously terminated from a Section 8 Rental Voucher programs for violation of program obligations, or if a family member has been evicted from public housing in the three year period, preceding the date of application, for drug related criminal activity unless there is evidence of successful completion of drug rehab or the family member involved in drug related criminal activity is no longer a member of the applicant/participant household.

5. Disposition of Assets

An applicant who has assigned, converted, transferred, or otherwise disposed of assets within two years prior to the date of initial certification or re-certification shall have the value of such assets included in the determination of net family assets as set forth in 24 CFR 5 Subpart F, as amended.

- a. The Municipality of Humacao Housing Agency will obtain the Family's certification as to whether any member has disposed of assets for less than fair market value during the two years preceding effective date of the certification or recertification.
- b. If the family certifies that they did dispose of assets for less than fair market value, a certification that shows:
 - All assets disposed of for less than Fair Market Value;
 - The date they disposed of the assets;
 - The amount the family received; and
 - The assets' market value at the time of disposition.

PF-§1.00 Establishing Applicant Eligibility

All families must qualify for assistance in accordance with HUD's criteria for eligibility.

The preliminary determination of income eligibility will be based on the family's selfdeclared sources and amounts of income.

Factors confirming any local preferences claimed factors of eligibility and income will not be third-party verified until the family reaches the top of the waiting list.

PF-§1.01 Definition of a *Family*

The applicant must qualify as a family. A *family* may be a single person or a group of persons. Discrimination on the basis on familial status is prohibited, and a group of persons may not be denied solely on the basis that they are not related by blood, marriage or operation of law.

1. Definition of Family

To qualify for rental assistance, an applicant household must meet one of the following criteria:

- a. Two or more persons regularly living together in a stable familytype relationship, who will live together in the Municipality of Humacao Housing Agency-assisted housing.

- b. Two or more persons who are not related by blood, marriage, adoption, guardianship or operation of law, but are regularly living together, can verify shared income or resources, and will live together in the Municipality of Humacao Housing Agency housing.
- c. The term “*Family*” also includes, but is not limited to:
 - A family with or without children;
 - An elderly family;
 - A disabled family;
 - A displaced family;
 - The remaining member of tenant’s family;
 - A single person who is not elderly, displaced, or a person with disabilities, or the remaining member of a tenant family.
 - Two or more elderly or disabled persons living together, or one or more elderly or disabled persons living with one or more live-in aides.
- d. A child who is verified as being “temporarily absent” from the home due to placement in foster care shall be considered when determining the family composition and family size.

2. Head of Household

The head of household is the adult member of the household who is designated by the family as head, and who is wholly or partly responsible for paying the rent, and has the legal capacity to enter into a lease with an owner under State/Local laws.

Emancipated minors who qualify under State law may be recognized as head of household if there is additional evidence/documentation that they are capable of upholding all essential terms and conditions of occupancy.

A family may designate an elderly or disabled family member as head of household solely to qualify the family as an elderly household, provided that the person is at least partially responsible for paying the rent.

3. Applicable Definitions

For proper application of the rule governing *Restriction on Assistance to Non-citizens*¹, the definition of *spouse* is: the marriage partner who, in order to dissolve the relationship, would have to be divorced. It includes the partner in a common law marriage. The term “spouse” does

¹ Section 214 of the 1980 Housing and Community Development Amendments
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not apply to boyfriends, girlfriends, significant others, or co-heads.

4. A one-person household (i.e., *single person*) is considered to be an eligible family without restriction.

Spouse generally means the husband or wife of the head of household in a marriage recognized under Puerto Rico State Law.

Live-in aide means the person expected to reside with an elderly or disabled voucher holder which a physician has declared to be medically necessary for the care and well-being of the voucher-holder and who is not obligated to provide the support for this person and who would not be living in the (subsidized) unit except to provide the necessary care.

Co-head of household means the person(s) who are (a) living in a spousal relationship or (b) are related or unrelated adults with equal responsibility for program/lease compliance, such as may be the case with two adult sisters or two adult disabled persons wishing to live together.

PF-§1.02 Eligible Single Persons

All single persons are eligible to apply for and receive Section 8 subsidy if otherwise eligible during periods of time when the agency is accepting applications.

PF-§1.03 Income Limitations

At the time of issuance of the voucher to a family from the waiting list a family's gross annual income must not exceed the Low Income (i.e., 80% of area median income) limit. In addition, the family, when first admitted, must select a unit in an area in which the family meets the income limit for the housing choice voucher program.

For a family receiving assistance at the time of the portability move (i.e., “currently assisted family”), who elects to move with continued assistance under portability to the jurisdiction of another Section 8 program, they may be either very low or low income as a *continuously assisted family*.

PF-§1.04 Procedure for Projecting Unstable Income

Where a family member has sporadic, yet recurring income such as a business owner or temporary clerical work (i.e., “Kelley-Girl”) the income will include projected income based upon current income and expenses:

1. Place family on a 90-day re-exam cycle;
2. Require family to bring income information for the most recent 60 day (eight-week period) preceding the date of certification;
3. Calculate average weekly or monthly income and use this as a base line figure to project

income for the upcoming 12-month period.

4. Combine the income from this period with the income from the prior period to establish a new baseline weekly or monthly figure;
5. Recalculate the TTP and determine need for additional interim reexams.

PF-§1.05 Housing Agency Policy Governing Verification of Zero Income.

All income representations made by the family to the Housing Agency must be verified to ensure the accurate calculation of total tenant payment and housing assistance payment. When a family claims *zero* income the staff will use the following procedures:

1. Head or co-head of household must complete a *Family Economic-Sufficiency* Form. This form will inquire as to how the family is currently covering living expenses such as utilities, food, clothing, etc.
2. Review the family information to evaluate possible participation in programs such as TANF, unemployment, etc.
3. Pose questions to the family intended to probe for unreported income and to clarify any discrepancies.
4. Have the head or co-head complete the following verification forms, even if they represent they do not receive income from these sources:
 - Food Stamp verification form
 - TANF verification form
 - Unemployment benefits verification form
 - Credit bureau reporting verification form (optional)
 - Any other verification form that appears to fit the family's profile
 - Income Tax Return
 - IRS Request for Information

If the verification form reflects income from these sources the Section 8 staff will act on the information provided by the source. The Section 8 staff is also to meet with the family to discuss any discrepancies and to provide the family with the opportunity to explain the discrepancies, and to supply information, which controverts the information, received.

When the credit report reflects "more money going out than coming in" any recurring payments made to the family or on behalf of the family will be counted as "income" consistent with 24 CFR 5 as "regularly recurring cash contributing gifts".

If the family generally disputes the information provided by the third party the Section 8 staff is to seek further clarification by phone with the third party. The information provided by the third party is to prevail. The family will be offered the opportunity for an informal review of any

decision reached based upon the third party information if the family feels that the Housing Agency's decision has an adverse effect. The decision of the hearing officer will prevail.

PF-§1.06 Social Security Reporting Requirements

Families are required to provide social security numbers for all family members age 6 and older, if they have been assigned a social security number(SSN), as a condition of initial and continued eligibility.

If a family member age six and older does not have a social security number the family:

- Must provide a certification that a SSN has not been assigned; and Family must agree to provide any social security numbers assigned after the date of the certification.
- For a minor age six to seventeen without a social security number the head of household or legal guardian will be required to complete the prescribed certification form.
- If an adult household member reports no social security number the adult must execute the required form.

If a non-elderly applicant or participant provides a social security number for which they state they cannot provide the appropriate verification the Housing Agency may grant a 60-day extension period in which to obtain and submit the required documentation.

For elderly families the Housing Agency may grant an extension of up to 120 days in which to provide the required documentation.

Failure of any family to supply the required documentation within the prescribed extension period will result in denial (applicant) or termination (participant) of assistance.

Verification of social security numbers reported by household members will be evidenced through submission of a valid social security card issued by the Social Security Administration or through an alternate form of documentation including, but not necessarily limited to:

- Benefit award letters
- Drivers license
- Employment identification card
- The Municipality of Humacao Housing Agency 's state-issued identification card
- Payroll stubs
- Bank statements
- Medical insurance identification card
- IRS form 1099 (or similar)

- Medical insurance/medical provider card.
- Military identification card

A person age 6+ proposed to join a family in occupancy must comply with provisions of this part.

PF-§1.07 Section 214 Declaration

Pursuant to Section 214 of the 1980 *Housing and Community Development Amendments*, all applicant and participant households must provide a declaration of citizenship or eligible immigration status. The Section 8 staff will provide this form with a letter of explanation to each household applying for assistance. If an applicant family member has ineligible status the family may not receive full subsidy. If any member of the family is a U.S. citizen or has eligible immigration status then the family may qualify for pro-rated/partial assistance. If there are no family members with citizen or eligible immigration status then the family will be determined ineligible for subsidy and denied issuance of a voucher. An ineligible family will be informed in writing of the denial and their right to request an informal hearing equal to the hearing granted for a participant family.

If there are no family members with citizen or eligible immigration status then the family will be determined ineligible for housing. An ineligible family will be informed in writing of the denial and their right to request an informal hearing.

1. In order to receive assistance, a family member must be a U.S. citizen or eligible immigrant. Individuals who are neither may elect not to content their status. Eligible immigrants are persons who are in one of the six immigrant categories as specified by HUD.
 - a. Mixed Families. A family is eligible for assistance as long as at least one member is citizen or eligible immigrant. Families that include eligible and ineligible individuals are called a mixed family. Such applicant families will be given notice that their assistance will be pro-rated and that they may request a hearing if they contest this determination.
 - b. No eligible members. Applicant families that include no eligible members will be ineligible for assistance. Such families will be denied admission and offered an opportunity for a hearing.
 - c. Non-citizen students defined by HUD in the non-citizen regulations are not eligible for assistance.
2. Section 214 verifications will be accomplished as follows:
 - a. U.S. Citizens or Nationals. Persons claiming status as a U.S. citizen or U.S. national will provide a self-certification in the form prescribed by the agency.

- b. Eligible Immigrants. Staff will conduct primary verification of eligible immigrant status through the INS automated SAVE (*Systematic Verification for Entitlement*) system using the instructions provided at HUD Guidebook 7420.10 G (pg. 5-7).

Staff will not delay, deny, or terminate assistance to an applicant or currently assisted household if any one of the following circumstances applies:

- At least one person in the household has submitted appropriate INS documents;
- The documents were submitted to the INS on a timely basis, but the verification process has not been completed;
- The family member in question moves;
- The INS appeals process has not been completed
- Assistance is pro-rated;
- Deferral of termination of assistance is granted by the agency;
- For a program participant, the informal hearing process is not complete.

Assistance will be denied or terminated when:

- Declaration of citizenship or eligible immigration status is not submitted by the specified deadline or any extension;
- Required documentation is submitted but INS primary and secondary verification does not verify immigration status and family does not pursue INS or PHA appeal; or
- Required documentation is submitted but INS primary and secondary verification does not verify immigration status, and INS or PHA appeal is pursued but decision(s) are rendered against the family.

When the MAHA decides to deny or terminated assistance, a written notice, which includes the following, will be sent by first class mail:

- An explanation of why the financial assistance will be denied or terminated;
- Notification that the family may be eligible for prorated assistance if it is *amixed family*
- Procedures for requesting *temporary deferral or proration of assistance for currently assisted families*;
- Family's right to appeal the results of the secondary verification to the INS; and
- Family's right to request an informal hearing from the PHA in lieu of an INS appeal or after an appeal.

Where feasible, the agency will provide all required notices and instructions in a language that the Family understands if the family is not proficient in English. Care will be taken to ensure that the implementations of the 214 requirements are accomplished consistent with Section 504 and Fair Housing requirements.

PF-§1.08 Other Criteria For Admission

1. Applicant must have paid in full any outstanding debt owed to any PHA for public housing, Section 8 voucher or for any previous tenancy under the 1937 Housing Act and/or any other federally assisted housing program.
2. Applicant must have left any previous tenancy under the Section 8 program without being in violation of a family obligation under its Housing Voucher, (unless there was good cause) within the five-year period preceding the date of application for assistance.
3. No family member has committed:
 - Fraud
 - Bribery; or
 - Any other corrupt or criminal act in connection with any federally assisted housing program in the five-year period preceding the date of application for assistance.
4. Family has not breached a pre-existing agreement to repay the Housing Agency for monies owed as a prior program participant. If there are any monies due and owing the Housing Agency the family must make full payment of the debt prior to being issued a voucher. Failure to do so is grounds for denial of assistance.
5. No family member to occupy the assisted unit is an employee the Housing Agency or governing body that makes policies or decisions relating to the operation of the Section 8 program unless HUD has granted a written waiver.

PF-§1.09 Family Suitability

It is not the intent of the federal government nor the local government to provide subsidy for a family with a member(s) who have a history of drug related, violent criminal activity, nor alcohol abuse that interferes with the health, safety or right to peaceful enjoyment of others..

If the family member involved in the illegal drug activity or violent criminal activity will not occupy the assisted unit, or can demonstrate that he/she is recovering or has recovered from such addiction and does not currently use or possess a controlled substance, the Housing Agency may approve the family for program participation.

The Housing Agency will not screen for factors that relate to suitability of the applicant family as "tenants".

Section 8 staff is prohibited from considering *suitability factors*, such as those described below, when determining family eligibility for Section 8 rental assistance:

1. Prior rent paying history;
2. Outstanding debts owed to previous owners (unless there was an owner's claim which was paid by the Housing Agency on behalf of the family, thus creating a financial obligation to the Housing Agency); or
3. History of damage to rental properties, etc.

The above forms of screening and evaluating an applicant for tenancy are the responsibility of the landlord and not the Housing Agency.

Owners are advised both orally and in writing of their obligation to perform normal, routine screening of applicants they propose to house.

The Housing Agency will continually urge owners to conduct such thorough screening on a uniform, consistent and non-discriminatory basis as part of the owner's routine tenant selection process.

The Housing Agency will provide the following information to prospective landlords to the extent such information is a part of the applicant/tenant file and does not violate the privacy act.

- Current address
- Current landlord information
- Prior landlord information
- Outstanding claims for unpaid rent or damages owing the program

PF-§1.10 Grounds For Denial of Admission and Notice to Family

If the applicant household does not meet the factors of eligibility stated in this section the Housing Agency will make a determination of ineligibility. Any family determined to be ineligible for assistance will be notified in writing within five (5) working days of the decision.

PF-§1.11 Informal Review Procedure For Applicants

Applicants will be provided an opportunity for informal review of decisions that deny the applicant placement on the Waiting List, issuance of a Section 8 voucher or participation in the Section 8 program.

1. The written notice of ineligibility will state the reason for the determination and advise the family of its right to request an informal review of the decision within the next fourteen (14) calendar days of the date of the Housing Agency's notice of ineligibility.
2. Applicant will be given the opportunity for informal review in accordance with these procedures:
 - If such a review is requested the informal review will be conducted no more than thirty (30) calendar days of receiving the family's written request.
 - Review shall be conducted by any employee, other than a person who made or approved the decision under review or a subordinate of that person.
 - Applicant shall be given an opportunity to present oral or written objections to the Housing Agency decision.
 - Applicant has the right to legal counsel or other representation at his/her expense.
 - The hearing officer will notify the applicant in writing of the final decision within fifteen (15) working days after the informal review. This notice shall include a brief statement of the reasons for the final decision.

G. DETERMINATION OF FAMILY INCOME AND FACTORS OF ELIGIBILITY

1. Application for Admission

The Housing Agency shall determine eligibility for Section 8 rental assistance in accordance with criteria established by HUD and the Municipality of Humacao Housing Agency. In so doing, the Housing Agency shall require every applicant to complete and sign an application prescribed by the Housing Agency, as well as applicable verification consent forms.

2. Determination of Annual Income

Family income for purposes of determining income eligibility and tenant rent and subsidy shall be computed in accordance with HUD specified sources and amounts of income to be included or

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excluded as stated at 24 CFR §5 Subpart F.

Additionally, the Municipality of Humacao Housing Agency shall exclude certain amounts of earned income under designated and qualified local training programs related to Welfare Reform as specified in HUD Notice 98-2, and consistent with 24 CFR§5.609.

3. Verification of Factors of Initial Eligibility and Tenant Rent

To document program eligibility, preference rating, dwelling size and rent to be paid, the information submitted on the application for admission shall be independently verified. Program verification used shall be valid for a period of 60 days prior to admission. Program verifications used for annual re-exams shall be valid for a period of 120 days prior to the effective date of re examination of family circumstances.

The Housing Agency will follow the verification methods prescribed in HUD PIH Notice 92-45 and PIH Notice 2001-15.

When third party verification source cannot or will not provide the required information within four weeks this will be noted in the applicant or tenant file and the Housing Agency will document the alternative method used.

The Housing Agency may review original documents provided by the family and use this as the basis for a provisional determination that will remain subject to third party verification.

If third party verification is received after the provisional determination of initial/continued eligibility or tenant rent has been made the Housing Agency will use the third party independent verification to make a retroactive determination. A family's rent may be increased or decreased retroactively.

If there is a determination that a family was not initially eligible for program participation the family will be terminated on 30 day written notice to the family and owner. Any ineligible family will be required to make full repayment of subsidy received to which the family was not entitled.

4. Verification of Annual Income

Anticipated income is a prime determinant of an applicant's eligibility for participation and their level of rental assistance. An Annual income means income from all sources received by the family head and spouse (even if temporarily absent), and by each additional member of the family, including all net income to be derived from assets for the upcoming 12month period.

Annual income will be determined based on appropriate third party verification. Initial income eligibility is established by comparing annual income to the HUD-prescribed maximum income limit.

There is no minimum income requirement for participation in the Section 8 rental assistance programs.

5. Record of Family

A file folder shall be established for each applicant and participant family and shall contain the original application and all data collected to verify and document the family's status. For each participant family the Housing Agency will maintain as part of the family record the family's application, applicable verifications, a copy of the executed lease and the HAP contract, as well as correspondence between the family and Housing Agency. The Housing Agency shall retain all applicant/tenant certifications and relevant documentation as set forth in 24 C.R. 982, as amended.

6. Misrepresentation of Family Circumstances

If any applicant deliberately misrepresents the information on which eligibility or tenant rent is established, the Housing Agency may deny and/or terminate assistance and may refer the family file/record to the proper authorities for appropriate disposition.

7. Determination of Ineligibility

If an applicant is determined to be ineligible for Section 8 rental assistance, the Housing Agency shall promptly state the reasons for its determination to the applicant in writing. The letter shall also state that the applicant may request an informal discussion and explain how to request the informal discussion.

8. Suspension of Voucher Issuance

If there is insufficient funding to assist the family at the top of the waiting list, the Housing Agency will not issue any form of assistance to any other family on the waiting list until there is sufficient funds to assist the family at the top of the waiting list.

However, if HUD awards the Housing Agency funds for a specified category of families on the waiting list, the Housing Agency must select families in that category, even if they are not at the top of the waiting list for one year. All such selections will be made as a Special Admission and so noted in the tenant and waiting list records.

9. Removal from the Tenant-Based Assistance Waiting List

The Housing Agency will remove a family's name from the Section 8 TBA waiting list if the family is determined ineligible in accordance with criteria prescribed by HUD or Housing Agency policy. The Housing Agency may also remove a family's name from its waiting list for family's failure to provide the Housing Agency with a new mailing address and/or any correspondence is returned with no forwarding address or family fails to participate in 2+ scheduled appointment(s) without good cause. The Housing Agency may also remove a family's name from the waiting list based upon a family's written request.

PG-§1.00 Policy and Procedures for Verifying Factors of Eligibility

Verification of income and asset information is required to determine eligibility for admission and continued assistance. All of the family's written representations that affect the family's eligibility or rent, must be verified by the Housing Agency's Section 8 Admissions staff.

Written inquiries will include:

- Statement of the purpose for requesting family data; and
- Statement signed by the applicant to permit the source to release information/family data.

When an applicant or tenant reports annual income that appears to be less than adequate for the family's needs, or if the family appears to be eligible for income that is not reported to be received, (i.e., Temporary Assistance for Needy Families (TANF), welfare, unemployment compensation, child support, etc.) the absence of such income will be verified.

Family may be required to sign verification consent forms for:

- Temporary Assistance for Needy Families (TANF)
- Food Stamps
- Unemployment Compensation
- State Wage Information Collection Housing Agency
- Credit Reports

For an initial determination of eligibility all required verifications must be current (i.e., issued within the 60 day period preceding the date of interview).

Tenant files will contain documentation of all required verifications

1. Applicants/tenants must cooperate with Section 8 staff and comply with the Housing Agency's certification/verification process by providing enough information to allow the Section 8 office to obtain verification from a third party of all statements regarding eligibility and rent. Family composition is generally treated as a self-certification. The signature of the head and/or co-head of household on the application for housing

assistance will normally be considered sufficient verification for family composition. However, the Housing Agency may require proof of family composition consistent with the Housing Agency's definition of *family*.

2. All income, assets and each applicable deduction will be verified at the time of admission and at each subsequent re-examination. Income will be verified by third party verification. If third party written verification is not possible Section 8 staff shall attempt to receive third party oral verification by calling the source or participating in a meeting with the source. Whenever third party oral verification is utilized the Eligibility Specialist/Housing Representative (OS) who received the information will be required to document the date of the phone contact, the name of the person they spoke with, information received and sign their name. Additionally, the Eligibility Specialist/Housing Representative will complete the Housing Agency's third party oral verification form. This form will identify with whom they spoke, the date, and other critical information. If neither third party written nor oral verification is possible this will be noted in the file and Section 8 staff shall undertake a review of documentation provided by the family. Eligibility Specialists/Housing Representatives are to review documents provided by the family for: *date, authenticity, and completeness*. If documents appear to be altered they should not be considered and alternative documentation should be requested.

The following statements will also be verified and documented in the tenant file:

- a. Age of family members when the sole factor determining factor of eligibility is age or to support deductions claimed for minors or elderly household status;
- b. Displacement, handicap, disability, veteran or serviceman status when they are a factor in determining eligibility for certain deductions or preferences;
- c. Full-time student status.

PG-§1.00.a Policy and Procedures for Third Party Verifications

The verification process during the time of application, interim reexamination and annual Re-examination is a critical task in the administration of the Department of Housing and Urban Development (HUD) assisted housing programs. This task requires Public Housing Agencies (PHA's) to verify factors that affect the determination of an applicants/participant's adjusted income. The verification process also requires the applicant/participant to provide and disclose information that is true and complete, which is necessary in the administration of HUD's assisted housing programs. The Housing Agency of the Municipality of Humacao is committed to insure that all applicants and participants information is verified for accuracy and completeness.

The requirement for third party verification can be found at 24 CFR §960.259(c)(1) and §982.516(a)(2) and states that “The PHA must obtain and document in the family file third party verification of the following factors, or must document in the file why third party verification was not available:

- *Reported family annual income;*
- *The value of assets;*
- *Expenses related to deductions from annual income; and*
- *Other factors that affect the determination of adjusted income or incomebased rent.”*

The Department has defined third party verification based on verification requirements established by the Inspector General’s Office, prior HUD notices and guidebooks. References: PIH Notice 2001-15: Improving Income Integrity in Public and Assisted Housing Choice Voucher Program Guidebook (Section 12-4) issued April 2001 The Tenant Integrity Program Training Guide issued by the Office of the Inspector General (Page 51) issued October 1989.

Third party verification is defined as independent verification of income and/or expenses by contacting the individual income/expense source(s) supplied by the family. The verification documents must be supplied directly to the independent source by the PHA and returned directly to the PHA from the independent source.

The tenant shall not hand carry documents to or from the independent source. The Agency will mail, fax, or e- mail the verification request form to the independent source. In the event that the independent source does not respond to the Agency’s, faxed, mailed, or emailed request for information, the Agency will secure and document oral third party verification.

The agency will ensure that they use appropriate consent forms to obtain specific information. The HUD Form 9886 authorizes HUD and the PHA to obtain third party verification of the following:

- *Any income information or materials from State Wage Information Collection Agencies (SWICA).*
- *Income information obtained from previous and current employers. The HUD Form 9886 authorizes HUD only, to obtain third party verification of the following:*
- *Income information from the SSA.*
- *Income return information from the IRS.*

The HUD Form 9886 may not be used to obtain any other information

Verification Guidance

The Agency will make every effort to secure HUD Systems Available for Upfront Income Verification.

The Agency will use HUD’s Tenant Assessment Sub-System (TASS) and centralized UIV System

as acceptable methods for verifying family income.

Note: The Agency will insure to have a valid HUD Form 9886 signed by all household members who are 18 years of age or older in the tenant file.

The Agency will make use of the Third Party Verification to Supplement Upfront Income Verification.

Written Third Party Verification: Independent verification of income and/or expenses will be secured by contacting the individual income/expense source(s) supplied by the family. The verification documents must be supplied directly to the independent source by the PHA and be returned directly to the Agency from the independent source.

Oral Third Party Verification: Independent verification of income and/or expenses will be secured and documented by contacting the individual income/expense source(s) supplied by the family, via telephone or in-person visit. Agency staff will document in the tenant file, the date and time of the telephone call, the name of the person contacted and telephone number, along with the confirmed verified information. This verification method will be the last resource used in the event that the independent source does not respond to the Agency's faxed, mailed, or e mailed request for information in ten (10) business days.

Document Review: The Agency will review original documents provided by the tenant in support of their declaration of income during the income reexamination. This verification method will only be used as the sole source of income verification when all other sources of third party verification cannot be obtained. When the Agency has to resort to reviewing tenant provided documents, the Agency will document in the tenant file why third party verification was not available.

Part HH of this plan provides further guidance on the verification method that the Agency will utilize to insure full compliance and adherence with this policy and with HUD's requirements.

The Housing Agency of the Municipality of Humacao will use the following verification methods in the order listed below:

- (1) Upfront Verification*
- (2) Written Third Party Verification*
- (3) Oral Third Party Verification*
- (4) Document Review*
- (5) Tenant Declaration*

The Agency will attempt to use upfront income verification first and whenever possible, since it is the most preferred method by HUD and does not rely on an individual filling out a form, which may result in lower data integrity.

If upfront verification is not available then the Agency will obtain required written

third party verification. Verification forms are to be mailed, faxed or e mailed directly to the independent source. In the event that the independent source fails to respond to written verification requests, the Agency will then contact the independent source by telephone or an in a personal visit to obtain the verification. Upon receipt of the information, the Agency must document in the family file, the date and time the information was received along with the name of the person and title that provided the information.

EXCEPTIONS TO THIRD PARTY VERIFICATION REQUIREMENTS:

The Housing Agency of the Municipality of Humacao is aware that in some situations, third party verification is not available for a variety of reasons. Oftentimes, the Agency may have to make numerous attempts to obtain the required verifications with no luck, or the income source may not honor written or oral requests for income information, or the asset or expenses to be verified is an insignificant amount, or it may not be cost effective to obtain third party verification of assets and expenses, when the impact on total tenant payment is minimal (See summary of example exceptions to third party verification in Part HH). In these cases, it is acceptable for Agency to review original documents provided by the tenant. However, the Agency is required to document in the family file the reason(s) why third party verification was not available. The Agency will maintain a photocopy of the original document in the family file.

PG-§1.01 Verification of Handicap/Disability Status

To ensure compliance with the non-discrimination provisions of the *Fair Housing Amendments Act of 1988* and *Section 504 of the Rehabilitation Act of 1973*, the Housing Agency will implement the following procedures when verifying a family's representation that the head or co-head/spouse is handicapped or disabled for 12 months or more.

1. Such verification will only occur when the head/co-head has indicated in writing that a family member is handicapped or disabled and the family feels that such status entitles them to special deductions and/or special assistance in locating suitable units or preference in tenant selection.
2. Person(s) who receives Supplemental Security Income Disability Payments (SSI) or Social Security Disability (SSD) benefits will be determined handicapped/disabled and no further verification will be required.
3. No family/family member will be required to attest to nor establish their ability to live independently as a condition of initial or continued eligibility for assistance.
4. If the individual with a disability has been recently deinstitutionalized or states they are otherwise disabled, but is not receiving SSI/SSD, verification from a trained professional (i.e., doctor, therapist,) that the named person meets HUD's definition of handicap or disability will be adequate verification. Section 8 staff will provide the third party with a certification form containing the HUD definition.

PG-§1.02 Use of the HUD Form 9886.

The HUD Form 9886, *Authorization for the Release of Information/Privacy Act Notice*, must be executed by all adult household members (and spouse regardless of age) age 18 and older. This form must be completed for each initial certification and annual recertification. If the family undergoes an interim re-exam and there is a family member who has since the last certification attained age 18, this household member will be required to complete the Form 9886 as part of the interim re-examination.

Eligibility Specialist /Housing Representative will review with the applicants/participants the Authorization for the Release of Information/Privacy Act Notice, to explain (a) how the information provided by the participant will be used by HUD; (b) HUD's restriction on disclosure of the information; and (c) that other information requested by the Public Housing Agency are HUD eligibility requirements.

Note: The Consent form expires 15 months after date signed.

Individual verification forms will continue to be used to collect the specific information to be verified, such as the employment verification form which requests information specific to rate and frequency of pay, as well as potential for overtime, tips, fees, and bonuses.

When the Housing Agency has reason to believe that a family's circumstances have changed, or are different from the representations made on the most recent certification the Housing Agency will send the form 9886 to any/all sources designated on the form.

H. ELIGIBLE FAMILIES

1. Voucher

If an applicant is determined to be eligible and sufficient funding is available, such applicant shall be issued a *Housing Choice Voucher* signed by a duly authorized representative of the Housing Agency.

2. Declared Emergencies

In the event of an emergency declared by resolution of the Municipality of Humacao Housing Agency Board of Directors, the waiting list for Section 8 Housing Choice Vouchers may be bypassed. Under such circumstances, vouchers may be provided to current residents of public housing (or other forms of assisted housing owned by the Municipality of Humacao Housing Agency) to families who meet the qualifications for participation in the Section 8 Housing Choice Voucher program. This housing assistance shall be provided solely for the purpose of relocating such families residing in the housing units specified in the Emergency Declaration to other housing units that meet all Section 8 program requirements.

In the event no suitable relocation units exist within the Municipality of Humacao Housing Agency inventory, Section 8 Vouchers shall be used if the family otherwise qualifies for this form of assistance.

3. Preference in Selection of Eligible Families

In selecting eligible families for participation in the Housing Choice Voucher Program, the Housing Agency shall apply the following order of preference. Eligible families qualifying for any one of the following preferences shall be selected in the order of the date and time of their application:

- **Families with catastrophic or terminal illnesses not including HIV or AIDS condition.**

4. Exception(s) To the Granting of Local Preferences in Tenant Selection

An applicant will not be granted any local preference if any member of the family has been evicted from any federally assisted housing during the past three years because of drug-related criminal activity.

The Municipality of Humacao Housing Agency will grant an exception to such a family only if:

- The responsible member has successfully completed a rehabilitation program.
- The evicted person was not involved in the drug related activity that occasioned the eviction.

5. Notice of Denial of a Preference

If the Housing Agency determines that an applicant does not meet the criteria for a local preference claimed, the Housing Agency should promptly notify the applicant in writing. The notice shall state the reasons for the denial and that the applicant has a right to request an informal review with the Housing Agency's staff.

The Housing Agency will not deny a family's claimed preference, nor remove a family from the waiting list solely because the applicant family has applied for, received, or refused other forms of housing assistance.

PH-§1.00 Issuance of Housing Choice Vouchers

1. Tenant Selection

The Housing Agency will issue housing choice vouchers pursuant to HUD'S final rule, effective October 1, 1999. An available housing choice voucher will be issued to eligible applicants as the family reaches the top of the waiting list (and in accordance with applicable preferences and date/time of application). The owner decides whether a voucher-holder is suitable for tenancy based upon the outcome of the owner's routine screening.

The Housing Agency, in deciding whether to admit the applicant/family, will not discriminate on the basis of age, race, color, religion, sex, national origin, disability, whether the family has children, whether family members are unwed parents, recipients of public assistance, or children born out of wedlock. The Housing Agency cannot adopt a preference in tenant selection for higher income families over lower income families. [24 CFR §982.202 (b)]

2. Family Briefing

When a family initially receives a Voucher, a full explanation of the Section 8 program requirements shall be provided as part of the family's briefing as outlined in 24 CFR 982.301, as amended, for Voucher holders.

3. Expiration and Extension of Voucher

The term of the Voucher shall be as outlined in 24 CFR 982.303, as amended. The initial term of the voucher is 60 days. As a *reasonable* accommodation for a family where the head or spouse is disabled, the Housing Agency will **initially** grant a family the full 120-day term, as an added reasonable accommodation. A disabled family may hold such form of assistance for more than 120 days term as a *reasonable accommodation* where supported by documentation that the family's inability to secure approved housing within the 120 day term was directly related to a family member's disability.

If a family submits a Request for Tenancy Approval (RFTA) prior to the expiration date and the RFTA is subsequently disapproved, the Voucher may be extended upon written request of the family for a period equivalent to the number of days between the submission of the RFTA and the date of disapproval of the RFTA.

A family may submit a written request for an extension of time to search for suitable housing. The written request must be received before the expiration date on the voucher. The Housing Agency will evaluate each request and determine the likelihood of the family finding housing with additional time to search. An approved extension will be granted for a 30 day period of time with proof of effort to timely secure an approved form of housing. Only in extenuating circumstances, such as hospitalization or jury sequestration, will a second extension of 30 days be granted.

4. Family Break-Up- Eligibility in Event of *Family Dissolution*

If either an applicant's or participant's family experiences a break or division of its original household composition the Housing Agency shall commit the housing assistance to the adult applicant, and who was either head or co-head of household, and who retains custody of any minor children. If there are no minor children involved the housing assistance shall be committed to the person who signed the application for initial or continued assistance. If more than one person signed the application, and there are no minor children involved, the Housing Agency shall require the adults to decide who shall receive the housing assistance. If the adults cannot decide within the time frame prescribed, then the Housing Agency shall terminate the application for initial or continued assistance and each party must make new application for assistance.

In the event the parties elect to resolve the dispute in a court of law, then the Housing Agency shall stay any administrative decision and comply with the terms of the court decision.

5. Family Absence From the Unit

Family may be absent from the assisted unit for up to 30 consecutive days with a written notice to the Housing Agency. If the family expects to be absent in excess of 30 consecutive days the family must advise the Housing Agency in writing of the anticipated term of absence on good cause shown. The Housing Agency may allow the family to be absent from the unit for up to 60 consecutive days with continued assistance on good cause shown.

If there is no family member remaining in the unit after 60 consecutive days the Housing Agency will commence the process of terminating housing assistance payments to the owner upon written notice to family and owner. Should the Housing Agency become aware of a family's extended absence from the assisted unit (by providing or not advanced written notification) and the family has not received written approval of the Housing Agency the housing assistance may be terminated sooner than 15 days upon written notice to family and owner. A waiver to this part can be granted at the discretion of the Housing Agency's Manager for periods exceeding 90 days but for no more than 180 days. [24 CFR §982.312]

I. SUBSIDY STANDARDS [24 CFR §982.402]

In issuing the choice voucher to an eligible family, the Housing Agency shall determine the number of bedrooms to be placed on the housing choice voucher for families of different size and composition. These standards are developed for the purpose of determining the voucher size that will best meet the family's needs at the lowest cost to the government.

1. In establishing the subsidy standards the Housing Agency shall:

- Consider the smallest number of bedrooms needed to house the family without overcrowding;
- Assign a subsidy standard that does not require more than two persons to occupy the same bedroom;
- Include every member of the family, regardless of age, including a child who is temporarily absent due to placement in foster care;
- Consider a single pregnant woman with no other family members as a two-person family;
- Consider an approved live-in aide for a qualified family;
- Not assign a subsidy standard that requires parent(s) to share a bedroom with a child(ren)(s);
- Not require children of the opposite sex to share a bedroom as long as one child is age six (6) or older.

In determining the appropriate unit size for a particular family, the Housing Agency may grant an exception to its established standards where justified by the age, sex, health, handicap, or relationship of family members or by other personal circumstances.

A family may lease an otherwise acceptable unit with more bedrooms than the subsidy standard stated on the voucher, though the payment standard (for the voucher program) cannot exceed the payment standard for the designated family unit (subsidy standard) size.

The family may also lease a unit with fewer bedrooms than the subsidy standard size stated on the housing voucher, as long as the smaller unit meets the applicable HQS space requirements at 24 CFR §982.402[d]. However, the calculation of housing subsidy will be based on the actual unit size selected as will the allowance for any tenant-paid utilities.

The living room of a unit may be used as a sleeping room if it meets the HQS standards for a sleeping room. However, the living room cannot be counted as a bedroom for purposes of determining the *applicable payment standard* for the family.

PI-§1.00 Subsidy Standards for Issuing Vouchers

The Housing Agency will use its subsidy standards to determine the voucher that appears to best meet the family's need for housing while maximizing the use of the space and minimizing the cost to the government. The adopted standards will be consistent with the HQSspace standards that are intended to avoid overcrowding. The family, at its option, may select a unit with fewer bedrooms than stated on the vouchers if it does not require more than two persons per sleeping room. This usually results in a lesser paymentstandard and reduced subsidy.

The Housing Representative is to issue the voucher in the size consistent with the Housing Agency's most recently adopted subsidy standards. Should this result in a unit of five (5) or more bedrooms the Housing Representative shall use the formula in the *Federal Register* for establishing the applicable FMR and Payment Standard.

The subsidy to be paid will be based on the size of the unit the family is eligible to occupy, based on the following standards:

Subsidy Standards for Issuing Voucher		
Family Composition	Bedrooms Size	Vouchers Size
1	0-1	0
1-2	1	1
2-4	2	2
3-4	3	3
4 -8	4	4
8 – 10	4-5	5

PI-§1.01 Fair Housing Impact.

The Fair Housing Amendments Act of 1988 extended protections against discrimination in housing to two additional classes of persons:

- Persons with a disability; and

- Families with children.

The family can select a unit equal in size to the voucher size, or larger or smaller than the voucher size, but consistent with the HQS space standard restrictions (i.e., no more than 2 persons per sleeping room including the use of the living room as a sleeping room).

It is the intent of this Housing Agency to administer all aspects of its program administration and personnel management system in a non-discriminatory fashion.

PI-§1.02 Factors to be Considered

ALL household members and *persons expected to reside* are to be included when establishing the voucher size that will best meet the family's needs.

A temporarily absent family member will be counted for subsidy purposes. A temporarily *absent family member* means a member of the household who is expected to reside in the assisted dwelling unit during the upcoming 12-month period but who will be absent from the unit for some portion of this 12-month period.

1. Children away at school who are listed as family members will:
 - a. Also be included when determining the applicable family subsidy standard; and
 - b. Any other family members who are temporarily absent.
2. A single person household may be assigned a zero bedroom voucher.

PI-§1.03 Section 8 Unit Assignment v. Actual Unit Size Selected.

The Housing Representative establishes the voucher size (i.e., *family unit size*) based upon a review of the family's household composition.

The family may select a unit, which differs from the voucher size, and the Housing Representative under the following guidelines will approve this:

- Generally, unit size selected would not result in more than two persons per sleeping room under the voucher program (including the living room).
- For a voucher-holder the Payment Standard used to establish subsidy would be based on the lesser of the voucher size or the actual unit size selected by the family.
- When a family must pay some or all of their own utilities directly to the utility supplier the utility allowance to be used will always be based on actual unit size selected by the family.

PI-§1.04 Exceptions to the Established Subsidy Standards Prior to Family HAP Being Made (i.e. Applicant Status)

A family may request an exception to the established subsidy standards for the following reasons and with appropriate documentation.

- Medical reasons;
- Additional household members due to birth, adoption, court-awarded custody, marriage; and
- Addition of a live-in aide.

Any request for an exception must be made in writing with the appropriate supporting documentation.

PI-§1.05 Live-In Aide Policy

An elderly, handicapped, or disabled person may have a care attendant/live-in aide occupy the unit when this care is:

- Essential to the care and well-being of the voucher holder; and
- The care-giver is not obligated to provide financial support for the elderly, handicapped or disabled person; and
- The care provider would not occupy the unit except for the express purpose of providing necessary supportive services.

The Housing Agency requires verification from a source qualified to make the following determinations:

- The care provided is medically necessary;
- Description of the medical and/or necessary supportive services to be provided
- Estimate of the period of time such care will be required.

Persons qualified to provide the required third party verification include, but are not necessarily limited to:

- Medical doctors
- Psychologists/psychiatrists
- Chiropractors
- Osteopaths
- Psychiatric Social Worker

There is no prohibition against a related family member acting in the capacity of a live-in aide. The relative must meet the same criteria and the same third party verification is required.

When a relative is the "live-in aide" they will not be listed as a "family" member and any income of a live-in aide will not be counted as income to the household for purposes of determining eligibility or rent. There will be no "deductions" for a live-in aide and the live-in aide does not retain any right to occupancy as the remaining member of a tenant's family when the voucher holder vacates the unit/program.

If the live-in aide has other family members they wish to occupy the unit, the Housing Agency shall grant such approval if the addition of the live-in aide's family members does not result in a larger voucher size (i.e., increased subsidy) and the occupancy by the voucherholder with the live-in aide and live-in aide's family members will not result in overcrowding, (i.e., more than 2 persons per sleeping room).

The live-in aide is subject to screening and approval by both the agency and the owner.

The live-in aide may hold outside employment or attend school if there is evidence that appropriate alternative care will be provided to the elderly, handicapped or disabled person during these periods of time.

The landlord has the right to require the live-in aide to execute a lease rider agreeing to abide by the terms and conditions of occupancy set forth in the lease agreement.

If the live-in aide violates provisions of the lease rider the owner may take action against the live in aide separate from action against the assisted family.

If the live-in aide or their family members participate in drug-related activities, either the Housing Agency or the owner may rescind the aide's right to occupy the unit.

When the Housing Agency takes such action against the live-in aide the aide is not entitled to the informal hearing process of the Housing Agency.

PI-§1.06 Exceptions to the Established Subsidy Standards After Subsidy Payments (HAP) Have Begun (i.e., Participant Status)

The Housing Representative will review the family's composition as part of the annual reexam.

1. If there are/will be changes in the household size the voucher size will automatically be adjusted based upon the established subsidy standards and the current/projected family composition.
2. The participant/family may request a different voucher size between regularly scheduled re-exams due to changes in the family size that would result in more than two persons per sleeping room.

All such additions to the family composition must first be approved/documentated by the Section 8 Office before there is consideration of the voucher unit size change due to reasons such as:

- Adoption
- Births
- Court awarded custody
- Foster child care
- Need for a live-in aide
- Disability of a current household member
- Adult children/other family members wishing to join a family already in occupancy

J. FINDERS'- KEEPERS POLICY

Upon receipt of a Housing Choice Voucher, the family shall be responsible for finding a unit of appropriate size that meets the HQS prior to expiration of the Voucher. The family may select the unit that it currently occupies if the unit meets the HQS and is determined to be *rent reasonable* and the owner is willing to execute new leasing documents under the Section 8 program. The Housing Agency may provide assistance in finding units for those families who, because of age, handicap, or other reasons are unable to find a unit and may provide assistance in cases where the family alleges that discrimination is preventing it from finding a unit. Any such assistance shall be in accordance with the Housing Agency's *Administrative Plan and Procedures* and shall not directly or indirectly reduce the family's opportunity to choose among available units. Section 8 housing choice voucher assistance may not be utilized for dwelling units receiving Section 8 project-based assistance as this constitutes *duplicative assistance*.

K. PORTABILITY [24 CFR '982.354]

The provisions for portability of vouchers shall be as outlined in 24 CFR§982.354, as amended. If neither the head nor spouse resides in Humacao at the time of application they must initially lease a unit in Berkeley before they can exercise their right of portability. The Housing Agency limits family moves to not more than one in any twelve-month period under portability.

The Housing Agency will deny permission for a family to exercise portability as cited in 24 CFR 982.314(e)(1), in the event that the Humacao Housing Agency does not have sufficient funds to pay a higher subsidy in another jurisdiction and the receiving LHA will not absorb the family into their program.

PK-§1.00 Portability of Housing Choice Vouchers

For any family wishing to exercise *portability* an individual briefing session will be scheduled.

Vouchers are portable as the result of various statutory and regulatory provisions. Participating families will be advised during both the initial and annual reexam briefing sessions of the portability provisions.

The Municipality of Humacao Housing Agency will provide a list of neighboring PHA's with the name, address and telephone number of a portability contact person at each.

Housing Choice Vouchers allow the holder to move to the jurisdiction of any public Housing Agency administering the Section 8 voucher program.

A Housing Representative will provide families wishing to exercise their option of portability with an updated *portability-move* packet. The Housing Representative must establish the family's income eligibility under the receiving PHA's income limits for those families with first time assistance at time of portability, and must forward the most recent form 50058 and related verification forms to the receiving PHA. The family currently receiving subsidy at the time of portability is not required to be income-eligible.

The required HUD form (Form HUD 52665) for recording portability activity will be completed by the Housing Representative and explained to the client family, as appropriate. The Section 8 program manager will be the first point of contact for each *incoming portable* client.

A family who owes money to the Housing Agency will be required to either repay in full or be current under any existing repayment agreement as a condition of eligibility to move with continued rental assistance under portability. A voucher holder must be in full compliance with the family obligations to be eligible for a portability move.

In-coming portable participants currently enrolled in another PHA's FSS program will be automatically enrolled in the Housing Agency's FSS program if slots are available. If not they will be placed on FSS waiting list.

L. FAMILY'S RIGHT TO MOVE [24 CFR §982.314]

Without regard to portability, an assisted family may move to a new unit if:

- The assisted lease for the old unit has terminated;
- The owner has given the tenant a notice to vacate or has commenced an eviction action, or has obtained a court judgment or other process allowing the owner to evict the family; or
- The family has given notice to the owner and the Housing Agency of their intent

to terminate the lease. This intent must be a written notification with no less than 60 days and no more of 90 days of the proposed lease termination.

In order to move with continued assistance, the family must initially occupy an assisted unit for 12 months before terminating the lease with the owner unless there is (a) good cause. *Good cause* may include, but is not necessarily limited to owner's failure to provide services under the lease, or (b) mutual agreement by the owner and tenant to terminate the lease.

A family may move one or more times with continued assistance, either within the jurisdiction of the Housing Agency or to the jurisdiction of another PHA, notwithstanding the limitation of moving only once in a 12 month period under portability.

A family who owes money to the Housing Agency will be required to either repay in full or be current under any existing repayment agreement as a condition of eligibility to move with continued rental assistance under portability.

M. OWNER OBLIGATION TO SCREEN FAMILIES[24 CFR §982.307]

An owner generally has no obligation to participate in the Section 8 housing choice voucher program and can refuse to accept a voucher holder, even if this means an otherwise acceptable family is unable to lease the unit.

Owners are responsible for screening families selected by the Housing Agency for admission to the program to determine whether they will be suitable tenants. **While the Housing Agency may elect to implement some limited form of *tenant suitability screening* this does not remove the owner of duty for performing tenant screening in a manner equal to the screening performed for unassisted tenants.**

An owner may consider such factors as:

1. The family's history of payment of rent and utility bills;
2. Caring for a dwelling unit;
3. Respecting- the rights of others;
4. Family history of drug-related criminal activity or other criminal activity which threatens the life, safety, or property of others.

The Housing Agency will give the owner the Voucherholder's current address and, if known, the name and address of the landlord at the family's current and prior address. The Housing Agency will also provide a prospective landlord with any of the following information which is a part of the applicant's/participant's file: record of prior eviction from a unit receiving Section 8 assistance through this Housing Agency; and/or record of family creating excessive damages to a rental unit. [24 CFR§982.307]

N. RENTAL AGREEMENT/ LEASE APPROVAL[24 CFR §982.308]

The Housing Agency must approve the owner's form of lease for the rental unit. The Housing Agency may not give such approval until it determines that the unit is eligible and meets the HQS; that the lease is approvable; the rent to the owner is *reasonable*; and the owner has not been deemed ineligible by HUD or the agency to participate in any HUDfunded housing program.

The Municipality of Humacao Housing Agency will establish and maintain records that include comparable data on unassisted units in the market. This data will be used by Section 8 staff in making their determination of the reasonableness of the owner's proposed rent. The Housing Representative(s) will use the methodology described in Exhibit #2 of this Plan.

All assisted leases must include certain language required by HUD. The language must prohibit certain types of lease provisions involving concessions by the tenant, and include by reference all other lease covenants prescribed by law for the Section 8 housing choice voucher program. The Housing Agency may also decline to approve the owner's lease if the owner fails to execute the required HUD Lease Addendum (Form HUD 52641-A), or if the owner's lease does not comply with major provisions of any applicable state or local landlord tenant laws. [24 CFR§982.308]

PN-§1.00 Housing Representative's Role in Leasing

The Housing Representative is to ensure that all activities and required forms for establishing the assisted tenancy are properly and timely executed. This includes the review and approval of forms provided by the Housing Agency and/or the owner.

PN-§1.01 Review of Owner's Form of Lease

The Housing Representative is to review the owner's form of lease against the *prohibited lease provisions* in the HUD tenancy addendum. Any prohibited lease provision must be struck in red ink from the owner's lease and the owner must initial and date the change. The owner is to be advised of their additional obligation to comply with material terms and provisions of the Louisiana State Landlord-Tenant laws, including laws prohibiting discrimination in the sale, rental or financing of housing.

The Section 8 Supervisor must approve the owner's lease and the Housing Representative must review the owner's lease for:

1. Initial term of tenancy of one year with a start and end date of 12 months. Where the lease will begin on other than the first day of the month the end date will be the last day of the same month one year later. For example, if the start date is 5/15/00 the end date will be 5/31/01.

2. Automatic renewal with defined successive term of *month to-month, year to year, etc.*
3. Amount of rent due under the lease stated as the *tenant rent* calculated by the Housing Representative.
4. Amount of security deposit in an amount not to exceed one month's contract rent or the deposit charged by owner for their other *unassisted* units, whichever is the lesser.
5. Required provisions of HUD's Section 8 Tenancy Addendum dated March 2000.

O. TERM OF ASSISTED LEASE [24 CFR §982.309]

The initial term of the assisted lease between the owner and tenant must be at least one year, and the assisted lease must provide for automatic renewal. However, a shorter initial term may be entered into if consistent with local rental market practices.

The tenant family can terminate the lease at any time after the initial term of the lease. The tenant family must provide written notice of termination to the owner, pursuant to the lease, with a copy to the Housing Agency. The tenant cannot be required to give more than 60 days notice to the owner. [24 CFR §982.309(b)]

The lease can also be terminated at any time by mutual agreement of the owner and tenant. The assisted lease will automatically terminate if the PHA terminates the owner's HAP contract or assistance for the family.

The owner is required to give 30 days written notice to the tenant where the owner is terminating at the end of the lease term.

The owner can terminate the family's tenancy during the term of the lease only for *serious or repeated violations of the lease; violation of federal, state, or local law; or other good cause*. Owner must follow lease terms and landlord/tenant law for such terminations.

Grounds for owners to terminate the lease include , but is not limited to: *criminal activity by the tenant, any member of the tenant's household, a guest, or any other person under the tenant's control that involves drugs or other criminal activity threatening the health, safety, or right to peaceful enjoyment of their residence by persons residing in or near the tenant's residence.*[24 CFR §982.3 1 0].

Owner initiated eviction procedure must be established through the court systems, pursuant to State and local laws and any applicable HUD requirements.

Other good cause generally includes, but is not limited to: the family's failure to accept a new or revised lease; a family's history of disturbance of neighbors or destruction of property the owner's desire to use the unit for personal use or for a purpose other than as a residential rental unit; or a business or economic purpose, such as the owner's desire to lease the unit at a higher rent. During the first year of the lease, the owner may not terminate for *other good cause* unless it

involves a family lease violation. [24 CFR §982.310]

PO-§1.00 Assisted Tenancy

The lease between the owner and tenant family is for less than the full rent due on the unit. The Housing Agency will make rental assistance payments to the owner on behalf of the assisted tenant. During the term of the assisted tenancy the owner and tenant family must comply with the terms of the lease and HAP contract to ensure continued eligibility for program participation.

PO-§1.01 Initial and Successive Lease Terms

The Housing Representative must review the owner's form of lease to ensure an initial term of lease for a period of not less than 12 months. The Housing Representative must also ensure that the assisted lease provides for *automatic renewal* (e.g., *month to month or year to year*) after the initial term.

P. HOUSING AGENCY POLICY GOVERNING OWNER APPROVAL OR DISAPPROVAL [24 CFR §982.306]

An owner can be disapproved for program participation. Reasons for denial of participation can include, but are not limited to: owner has been *debarred*, *suspended*, or is subject to a *limited denial of participation (LDP)* by HUD [24 CFR 24]; owner has been found to have a practice of serious and repeated noncompliance with the terms of the Section 8 housing assistance payments contract (Form HUD 52641); or criminal activity by the owner.

When directed by HUD, the Housing Agency will not approve an owner or owner's unit if there is a government initiated administrative or judicial action is pending against the owner for a violation of the *Fair Housing Act* or other federal equal opportunity requirements or if a court or administrative Housing Agency has determined that the owner has committed such a violation. [24 CFR §982.306 (a)-(b)]

The Housing Agency may deny an owner's request for participation for any of the following reasons: [24 CFR §982.306(c)]

- Violation of owner's obligations under any Section 8 contract;
- Fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program;
- Drug trafficking (based on a *preponderance of evidence*);
- Owner's history of non-compliance with the HQS or other applicable housing standards,
- Owner's history or practice of renting units which fail to comply with state or local housing codes; and/or
- Owner's failure to pay state or local real estate taxes, fines, or assessments.

Q. PAYMENTS DUE THE OWNER: HOUSING ASSISTANCE PAYMENTS AND TENANT RENT

The Housing Agency shall make Housing Assistance Payments to the Owner on behalf of the eligible family in accordance with the HAP Contract. No payments shall be made for any unit occupied by an Owner except in the instance of owner occupied cooperative housing units or owner occupied mobile homes approved for paid rental assistance payments..

The lease between the owner and tenant shall provide *tenant rent* under the applicable HUD formula. The Housing Agency shall make a payment on behalf of the family to the owner that is known as the housing assistance payment (HAP). **The lease between the owner and tenant shall state the tenant's share of the rent.** The HAP contract will provide for the amount to be paid by the Housing Agency. Initially, and until notice of a change in tenant rent or HAP, the owner may collect only the amounts approved by the Housing Agency.

The Housing Agency may abate its housing assistance payment to the owner for noncompliance with material terms of the HAP contract. The Housing Agency may also withhold housing assistance payments to owner for amounts due the Housing Agency under one or more contracts with the Housing Agency. The owner may not collect from the tenant family any amounts withheld by the Housing Agency. The Housing Agency will terminate HAP the date any owner initiated eviction is concluded.

1. Calculation of Tenant Rent and Subsidy.

The tenant's rent and subsidy will be calculated in accordance with the prevailing HUD formula, including the minimum rent as most recently adopted by the Housing Board. The minimum rent adopted by Municipality of Humacao Housing Agency is **\$50.00 dollars**.

2. Establishing and Documenting Reasonableness of Owner's Rent

The rent to owner under the housing choice voucher program must be *reasonable* when compared to comparable unassisted units.

The Housing Representative must execute a rent-reasonableness certification at initial occupancy; whenever the owner submits a request for an increase in contract rent; and when there is a decrease in FMRs of five-percent (5%) or more in the 60-day period preceding the effective date of the rent increase.

The Section 8 staff will utilize the rent reasonableness methodology included at Exhibit #1 of this Plan.

3. Timing of Payments

Tenant rent is due and payable to the owner as of the date stated in the lease.

For new contracts, the Housing Agency shall make assistance payments to the owner as of the effective date of the Housing Agency-approved lease; in some instances this may result in a retroactive payment of HAP. The Housing Agency will make every effort to execute the HAP contract with the owner as of the start of the lease term. The Housing Agency has up to 60 days from the date of the approved lease to execute the HAP contract. An owner is entitled to full payment of the HAP as of the approved lease date. However, if the Housing Agency and owner do not execute the HAP contract within 60 days of the lease effective date, the lease between owner and tenant shall be voided and no housing assistance payments will be made. [24 CFR §982.305(c)]

In some instances, the first payment for a new lease-up may not be made until the second month after the approved lease and HAP contract signed by the owner has been returned to the Housing Agency.

After the initial payment for a contract has been received the owner shall continue to receive monthly payments between the first and tenth working day of each month that the family occupies the unit as a Section 8-assisted family. The Municipality of Humacao Housing Agency shall make every reasonable effort to ensure owner payments are mailed on or before the first day of each month. Lost checks may be reissued after notifying the bank to stop payment.

4. Additional Payments

If the family vacates the unit after the first day of the month without written notice to the owner, with a copy to the Municipality of Humacao Housing Agency, as required under the lease and housing choice voucher, the owner is entitled to keep the full housing assistance payment for the month. The Housing Agency will not make further payments to an owner for any month after the month the family vacates.

If the family is approved to lease another unit during the same month, the Housing Agency will make a pro-rated payment to the new owner. In short, a family may be approved for two assistance payments for two different units in the same month, and such payments are not considered duplicate assistance. [24 CFR §982.31 l(d)]

5. Special Claims

Payments other than the regular housing assistance payments and approved *late fees* are prohibited in the housing choice voucher program. Any owner claims for unpaid tenant rent,

vacancy loss or unit damage must be pursued with the tenant family.

R. CHANGING THE VOUCHER PAYMENT STANDARD[24 CFR §982.503]

At least annually, the Housing Agency shall evaluate whether an adjustment to the payment standard is necessary to assure continued *affordability* of housing by participating families. The evaluation shall take into account "local factors" as well as the financial impact on the program. In no event shall the payment standard be less than 90% of the most recently FMR, nor greater than 110% of the most recently published FMR without express written approval of HUD.

The following are examples of local factors to be considered in establishing the payment standard schedule:

- Participant rent burden
- Actual contract rents for specific bedroom sizes
- Actual rent increases for participating families
- Current fair market rent
- Success rate in securing eligible housing
- Rent reasonableness data
- Vacancy rate data
- Market rent data for comparable unassisted units
- Financial impact on the Housing Voucher Program
- *Sufficient funding level provided by HUD to support continued assistance to families*

The Municipality of Humacao Housing Agency shall analyze whether voucher holders have experienced difficulties in finding housing outside areas of poverty or minority concentration and, where such difficulties were found, the Public Housing Agency will consider whether it is appropriate to seek approval of exception payment standard amounts in any part of its jurisdiction and has sought HUD approval when necessary.

In the event that funding levels are insufficient to continue supporting assistance to families, the Humacao Housing Agency will analyze costs to the program, burden to participating families, burden to participating landlords and the overall social economic impacts to its communities. In its analysis the Humacao Housing Agency determines that funding levels are too low it will attempt to lower its payments standards to a tolerable 90% of FMR levels of funding. The Humacao Housing Agency will make every available effort to continue assistance at an adequate level of assistance to include lowering its payment standards below 90% of FMR as an intent to avoid terminations of HAP contracts in accordance with HUD requirements as stated in 24 CFR 982.454.

1. Changes in Application of the Payment Standard

The family's payment standard may be changed at regular re-examination and at the time the family moves, consistent with the Municipality of Humacao Housing Agency's most recently adopted payment standard schedule.

2. Adjustment to Initial "Rent to Owner"

The rent to owner (contract rent) shall not be changed during the "initial term of lease". Owner may request an increase no sooner than 60 days before the anniversary date of the contract to ensure timely review and response from the MAHA and family. The owner may also request approval of an adjustment in the initial rent after the anniversary date upon 60 days written notice. However, any approved increase in rent will not be effective until the first rent period following a 30 day notice of approval to the owner and family.

Owner must provide both the family and the Housing Agency with copy of the owner's proposed rent. The Housing Agency shall make a determination of the "reasonableness" of the owner's proposed rent adjustment using the criteria described in Section Q.2 of this plan. If the agency determines the owner's proposed rent adjustment to be "unreasonable" in light of its review of "like units" (i.e., *unit comparables*) the family will be so advised and given the opportunity to:

- a. Move with continued voucher assistance;
- b. Continue in occupancy with the owner under a non-assisted lease agreement (and absent voucher subsidy).

S. SECURITY DEPOSITS [24 CFR §982.313]

The owner may collect a security deposit from the tenant family that does not exceed one month's contract rent. If the owner collects less than one month's rent as security deposit on the owner's other (unassisted) rental units the security deposits on the Section 8 assisted units must be established at the same amount.

Owner may use the security deposit to cover unpaid tenant rent owing at time of move out, damages and/or other costs allowed under State Landlord-Tenant Act. The Municipality of Humacao Housing Agency will provide a prior Section 8 owner with the current address of a family who continues to receive Section 8 assistance when the owner provides evidence that (1) the unpaid rent/damages exceed the security deposit collected and (2) the owner has received a court judgment for additional amounts owed.

T. CONTINUED ELIGIBILITY AND INCOME ADJUSTMENT

A family's eligibility for Section 8 Voucher Assistance (HAP) continues if the family meets the requirements governing eligibility, **until** (1) the Total Tenant Payment equals the Gross Rent for the dwelling unit occupied under the Housing choice voucher Program or (2) until 30% of the family's monthly adjusted income equals or exceeds the applicable payment standard under the Voucher Program; or (3) 10% of family's monthly income equals or exceeds the actual rent plus any allowance for tenant-paid utilities. Payments under both programs can be reinstated if the family's income drops. However, if no payments are made for a period of 180 days (6 months), the HAP contract automatically terminates. [24 CFR§982.455]

Termination of rental assistance at such point shall not affect the family's other rights under its lease Agreement nor shall such termination preclude resumption of payment as a result of subsequent changes in income or rents or other relevant circumstances during the sixmonth term. The family must pay the full contract rent when HAP is reduced to zero, and the assisted lease between the owner and tenant automatically terminates.

PT-\$1.00 Interim Reporting Policy and Procedures

Housing Choice Voucher families are required to report the following changes in family circumstances between regularly scheduled re-certifications:

1. The tenant must report all changes in the household composition.
 - a. If a household member vacates the unit and is considered by the family to be permanently absent; or
 - b. A new person is proposed to move into the unit.
2. The tenant may report any of the following changes that would result in a decrease in the tenant's rent:
 - a. Loss of income;
 - b. Increase in allowable expenses (i.e., *child care, handicapped assistance, medical*).

Decreases in the tenant's portion of the rent will be effective the first day of the month following the month in which the change occurs, sometimes resulting in a retroactive decrease.

However, the Housing Authority will not reduce a tenant's rent for a loss/reduction in welfare income (TANF) due to family:

- Fraud
- Failure to participate in a required work activity

- Failure to participate in a required economic self-sufficiency activity

Any reported reduction in welfare benefits will be verified with the local welfare department. The agency will rely on the written statements of the welfare agency in making its determination of eligibility for a rent reduction.

3. Tenants must report **all** income increases within **10** days of the change. However, rent increases as a result of an increase in *earned* income from a previously reported employer, or an increase in *cash assistance payments* (e.g., SSI, SSD, TANF, etc.) will not go into effect until the next regular schedule annual examination. However, a change of employers, or a family member becoming employed after having reported being unemployed, will result in an interim re-determination of tenant rent. Other family changes resulting in an interim re-determination of tenant's rent is described at section PT 1.02.
4. A new source of income and/or unreported increases in income (where required by this policy) that remains unreported for more than 30 days, will be considered a program violation resulting in a retroactive increase in tenant's rent. A family with a retroactive increase may be eligible for a repayment agreement. A family cannot, however, enter into multiple payment agreements with the MAHA which may result in a requirement of full payment of the amounts owed.

PT. §1.02 Family Circumstances Requiring Interim Re-exams:

1. For families reporting zero income, interim re-examinations will be scheduled every 90 days and an affected family will be given 30 days written notice of any increase in TTP;
2. For families whose annual income cannot be projected with any reasonable degree of accuracy such as self-employed persons, interim re-examination shall be conducted every 90 days;
3. For families where Housing Agency personnel made an error at admission or re-examination an interim re-exam will be conducted upon notice by the Municipality of Humacao Housing Agency. The family will not be charged retroactively for an increase in TTP; however, any decrease in tenant's rent will be made retroactive.
4. For families who report a temporary loss of income and the income is expected to be fully restored within 30 days the Housing Agency will not perform an interim re-exam. Staff must receive 3rd party written verification that the income is expected to be fully restored.
5. For families whose rent has been based on false or incomplete information supplied by the applicant or resident an interim re-exam will be conducted upon notice by the Municipality of Humacao Housing Agency. Any increase in TTP will be made retroactively.

6. Notice to the Housing Agency of *family income discrepancies* through HUD's *Tenant Assessment Sub-System (TASS)* will require performance of an interim reexam.

PT-§1.03 Forms Used for Interim Reexaminations

Adult household members will be required to sign the applicable forms for third party verification for all factors of income or household composition **that have changed since the last certification**. Family factors impacting the rent calculation, which have not changed will not be re-verified even if the verifications are more than 120 days old. Section 8 staff will only verify the reported changes.

PT-§1.04 Standard for Timely Reporting of Changes and Tenant Penalties for Untimely Reporting

The family must report any required change within thirty (30) calendar days of when income or change in household composition occurs.

If the family does not bring the required information with them to the interview, a new interview date will be set within that month. In addition, third party verification will be sent out to verify the change(s).

An increase in tenant rent may be made retroactively while any decrease will be implemented prospectively, when the family does not keep the second scheduled interview appointment and fails to return by the end of the month. The Total Tenant Payment is calculated when the verification is received, and it will be considered "untimely reporting" by the tenant.

PT-§1.05 When the Change is Reported in a Timely Manner:

When the family reports a required change in a timely manner the Municipality of Humacao Housing Agency will notify the tenant of any change in the Tenant's Rent to be effective in accordance with the following guidelines:

1. Increase in the Tenant's Rent will be made effective on the first of the month following the 30-day notice of rent increase.
2. Decreases in the Tenant's Rent will be effective the first of the month following the month the change occurred.

The change may be based on the documentation the tenant brought with them to the interview, followed up by the third party verification sent to the agency. Verbal representation alone by the tenant will not be acceptable. If the tenant has no form of documentation to support a decrease, downward rent adjustment will not be processed until the Housing Agency has received the necessary verifications. In such cases, this will result in a retroactive decrease in tenant's rent.

and the family is not liable for rent payment until the interim has been completed and the family has been notified of the amount and effective date of the change.

PT-§1.06 Timing of the Next Annual Re-certification:

Without regard to the number of interim re-exams conducted, the family's annual date of re-exam will remain the same.

PT-§1.07 Section 8 Staff Procedures for Conducting Annual Reexams

The Section 8 Housing Representatives have responsibility for initiating and completing the annual re-exams in a timely manner. This means all required actions, including the annual inspection, is concluded at least thirty (30) days prior to the anniversary date.

The staff shall:

1. Send initial notice to re-certify with scheduled appointment date/time 90-120 days prior to the effective date;
2. Send follow-up notice within 5 days of a missed appointment if a family fails to show or reschedule appointment;
3. Send 30-day notice (3rd notice) of intent to terminate for non-compliance with terms of the voucher if the family has failed to respond to first and second notices. However, third notice must be sent at least 30 days prior to anniversary date. Third notice serves as the 30-day termination notice and shall be sent to both the tenant family and owner with reason(s) for proposed termination and family's right to request an informal hearing.
4. If family schedules appointment during the last 30 days Section 8 staff is to process the re-certification. Any changes in tenant's rent will be subject to timing described at §1.04 (i.e., tenant penalty for untimely reporting).
5. If family does not participate in re-exam interview by the scheduled effective date Section 8 staff will follow normal termination of assistance procedures.

U. REGULAR (ANNUAL) RE-EXAMINATION OF FAMILY'S INCOME AND CIRCUMSTANCES [24 CFR §882.212/882.515]

1. Annual Re-examination

Re-examination of a family's income and composition shall be made at least annually. If at the time of admission or re-examination, a family's income cannot be reasonably determined for the upcoming 12 month period, the Housing Agency shall require the family to comply with its 30, 60 or 90 day re-exam schedule.

2. Re-determination of Total Tenant Payments and Housing Assistance Payment

The Housing Agency shall make an appropriate re-determination on the amount of Total Tenant Payment and amount of the Housing Assistance Payment. Written Notice of Tenant's Rent and HAP will be provided to both the owner and tenant with a copy to the tenant's file.

3. Termination of Payments

Termination of Housing Assistance Payments due to a determination of family's ineligibility shall be in accordance with applicable HUD guidelines.

4. Changes in Family Size and Composition

Changes in family composition that result in a change in *family unit size (i.e., "voucher size")* will result in issuance of voucher with a different unit size only at the time the family moves, or at the time of the regularly scheduled annual reexamination of family circumstances.

5. Disclosures and Verification of Social Security Number

At re-examination, the family shall be required to disclose and verify Social Security Numbers for any family member age 6+ who has been assigned a social security number since the last certification or re-certification, as outlined in 24 CFR 5, as amended.

6. Evidence of Eligibility for Assistance Based on Citizen or Eligible Alien Status

Each family member, regardless of age, must submit a declaration of status as a U.S. citizen or a U.S. national or evidence of *eligible immigration status*, as defined at Section 214 of the U.S. Housing Act of 1980, and as amended in the Immigration Reform Act of 1996.

For citizens or nationals, all that must be submitted is a signed declaration of citizenship. Non citizens age 62 and older, as of 6/19/95, must submit a signed declaration of eligible immigration status and proof of age. Other non-citizens must submit a signed declaration of eligible immigration status, proper documentation, and a signed verification form. Adults must sign their own forms. An adult residing in the assisted housing unit who is responsible for the child must sign applicable forms for children. [24 CFR §5]

The Housing Agency will conduct verification of eligible immigration status when other aspects of eligibility for assistance are being verified. The primary method of verification will be the use of the computerized verification system administered by the U.S. Immigration and Naturalization Service (INS). [24 CFR §5]

Housing assistance may be denied or terminated to an applicant or recipient in accordance with 24 CFR §5). An applicant household will have their assistance delayed or denied until at least one continuing family member has established eligibility as a U.S. citizen, U.S. national or a

eligible immigrant. If all other factors of eligibility have been confirmed the family may be granted a 30 day extension to comply with the Section 214 provision, as amended. If the family fails to comply within this 30 day period the family will be determined ineligible for housing assistance and their HAP will be terminated.

Section 214 Compliance is a one-time requirement for each family member and is only implemented at re-exam for new family members.

Denial or termination of assistance to an applicant or participant's family can be appealed to the Housing Agency consistent with Section Y and with the INS in accordance with 24 CFR 5 subpart F.

PU-§1.00 Income Determinations

The gross annual income of the family is used to determine income eligibility and Total Tenant Payment, including sources of income as described at 24 CFR §5, and as periodically revised by HUD.

1. Income of Minors (Family members age 17 and younger)

Only certain sources of income to a minor will be included when determining the family's gross annual income. Such income includes benefit income of a minor such as social security, TANF, or any unearned income of a minor (including interest on a savings account). None of the earned/wage income of a minor will be included.

2. Income of Full Time Students

The Housing Agency will only include the first \$480 of earned income of a fulltime student age 18 and older.

If the student receives grant or scholarship income the Housing Agency will not include any of the educational benefit income in calculation of annual income. In no case will the Municipality of Humacao Housing Agency include student loans as income to the household no matter how the loan will be expended.

3. Income of Temporarily Absent Family Members

Family composition is a self-certification by the head/co-head of household. It is the policy of the Housing Agency to include:

- a. Income of all persons expected to reside in the unit in the upcoming 12 month period.

- b. If one or more family members will be absent from the unit for any portion of the 12 month period covered by the certification they will be considered a temporarily absent family member.
- c. The absent family member's income will be included for the full 12 month period even if the income will not be available to the household for the period of time they expect to be absent.
- d. If the absent family member is the head or spouse their full income will be included as income to the household even if they are not expected to occupy the unit or to be listed on the lease.
- e. If the head or spouse is permanently absent from the household the Housing Representative may require verification.
- f. Acceptable forms of independent verification will include:
 - Legal separation papers
 - Divorce decree
 - Evidence of institutionalization; and
 - Document from Department of Human Services identifying current household members.

Dependent upon the circumstances the Housing Agency may consider other forms of verification that the family member is no longer a "member of the family".

In the absence of acceptable verification, the Housing Agency will continue to include the income of the absent family member as if they were only "temporarily absent".

4. Income of a Confined Family Member

If a family member has been permanently confined to a hospital or nursing home the Housing Agency will not include the income of this family member as income to the household, nor will the Housing Agency compute allowances/deductions for a permanently confined household member.

When the confined family member's income is excluded, the confined family member must not be listed on the assisted lease agreement between the owner and tenant family. The permanently absent family member's name can be removed from the existing lease. No new lease is required.

Regular Recurring Cash Contributions or Gifts

The Housing Agency will include as income only those cash contributions that the family expects to receive on a regular recurring basis. Staff may use credit reports to determine the potential for such recurring gifts, in addition to signed statements by donors or affidavits by the recipient. If an adult family member "barter" their labor for goods rather than monetary compensation the Municipality of Humacao Housing Agency may establish a cash value for the personal service and use it as income to the household.

Non-cash gifts such, as groceries will not be included.

5. Net Income From a Business (or Profession) or From Rental of Real or Personal Property

The net income from a business or from rental of real or personal property will be included as income to the household.

Section 8 Staff will calculate the net income from a business by deducting from the projected gross income the following expenses: straight-line depreciation, the interest portion of loan payments, and all other expenses of the business which are routine expenses of the business, and not related to business expansion or capital improvements.

If there is evidence that the family withdraws cash or assets from the business these withdrawals will be included as income to the household unless there is verification that the withdrawal is specifically for reimbursement of amounts the family invested in the business.

Verification of business expenses to be deducted from the gross income of the business will be in keeping with requirements stated at Exhibit (Statement of Acceptable forms of verification).

Adult family members engaged in the operation of a business or profession will be subject to a 90 day re-exam schedule, as deemed appropriate by staff, for purposes of documenting current income. Section 8 staff may require such adults to maintain reports/records of current income (gross receipts) and expenses for the period between the performances of the interim reexam.

6. Lump-sum Payments to be counted as Income

The Housing Agency will include only two types of lump sum payments as income to the household. All other lump sum payments will be treated as an asset. The two types of lump sum payments to be included as income are:

- a. Lump-sum payments for either a delayed start of a periodic payment (such as delayed payment of unemployment benefits); or
- b. Lump sum payments for settlement of a disputed claim of what would have been a periodic payment (such as a lump sum payment of back child support).

Where such lump sum payments are received, the Housing Agency will require repayment on a prospective basis rather than a retroactive basis.

This method will result in an increased TTP over 12-18 month period and allows for the gradual repayment of the monies owed for the period of time that Housing Agency "carried" the family while they were awaiting the benefit payments.

In the event the family receives a lump-sum payment that includes payment for a period of time that the family was not receiving housing assistance the Housing Agency will not include that portion of the lump sum payment in its prospective calculation in the amounts to be repaid.

8. Policy Governing Alimony and Child Support

A court-ordered decree will serve as third party verification of the amount of alimony and child support income expected to be received by the family. No other form of verification is required unless the family asserts that they are receiving an amount that differs from the decree. In this instance the Housing Representative must verify the amount which is actually being received; and the family has made all reasonable effort to collect the full amount due, including evidence of filing with courts or agencies responsible for enforcement of the payments due.

If the family is using the services of Legal Aid and there is documentation that the family has made an appointment for the express purpose of pursuing back payments the Municipality of Humacao Housing Agency will consider this as an appropriate measure for taking "legal" action. Evidence of filing for enforcement of the child support order with the local Child Support Enforcement Agency (CSEA) is also considered an appropriate form of action under this rule.

When third party verification cannot be obtained which counters the decree the amount in the decree will be considered as income to the household.

9. Treatment of Military Pay

The military pay of the head of household or spouse, including allowances with the exception of combat/hazardous duty pay, will be included as income to the household, even if the head/co-head or spouse is not listed on the lease.

- a. If the absent head/co-head has income from outside jobs or income from assets these income sources will not be counted as income to the family.
- b. If the family receives an allotment from an adult child in the military on a regular recurring basis only the amount of the allotment will be included as income and not the full military pay.
- c. In instances where the adult child in the military is listed on the lease they will be treated, as a "temporarily absent family member" and the full amount of pay,

including all regular allowances, will be counted as income to the household.

- d. Verification of the military pay and regular allowances will be solicited first from the unit commander on a form developed by the Housing Agency unless the military requires a different form for verification purposes, in which case the military's form will be used.

If Section 8 staff is unable to receive third party verification (written preferred) a review of documents will be undertaken. The Section 8 staff will document the family file as to why they were unable to receive third party verification. The spouse/co-head must cooperate by providing Section 8 staff with required information such as:

- Unit identification/address,
- Rank
- Serial/social security number

Failure to cooperate will result in a denial of admission or termination of assistance for a participating family.

10. Procedure for Projecting Unstable Income

Where a family member has sporadic, yet recurring income such as a business owner or temporary clerical work (i.e., "Kelly-Girl") the Section 8 staff will include projected income based upon current income and expenses:

- a. Place family on a 90-day re-exam cycle;
- b. Require family to bring income information for the 12-week period preceding the date of certification;
- c. Calculate average weekly or monthly income and use this as a base line figure to project income for the upcoming 12-month period.
- d. Combine the income from this period with the income from the prior period to establish a new baseline weekly or monthly figure;
- e. Recalculate the TTP and determine need for additional interim reexams.

PU-§1.02 Asset Determinations

Income from assets is to be included as income to the household. Asset income to be included can include either actual or *imputed* income from assets depending upon the total value of assets effectively owned by the family. Accordingly, the Housing Representative shall establish the cash value of assets held by the family.

Assets to be considered will include the following:

- Amounts in savings and checking accounts;
- Stocks, bonds, savings certificates, moneymaker funds and other investment accounts;
- Equity in real property or other capital investments
- Cash value of trusts that are available to the household;
- IRA, Keogh and similar retirement savings accounts;
- Contributions to company retirement/pension fund;
- Assets, which although owned by more than one person, allow unrestricted access by the applicant;
- Lump-sum receipts such as inheritances, capital gains, lottery winnings, cash from sale of assets, insurance settlements, Social Security and SSI lump-sum payments and other claims;
- Personal property held as an investment such as gems, jewelry, coin collections, antiques cars, etc.;
- Cash value of life insurance policies;
- Assets disposed of for less than fair market value during the two years preceding examination or re-examination.

Where there is a dispute over the "effective ownership" of an asset, the Section 8 staff will determine ownership based upon (a) who reports the asset to IRS for tax liability purposes; and (b) who receives the income from the asset as reported to the IRS.

Where the percentage of ownership is legally defined only that portion/percentage of the cash value of the asset will be included in the calculation of net family assets.

The value of necessary personal property maintained for personal use will not be included in the calculation of net family assets, including but limited to items such as clothing, furniture, jewelry, automobiles, stereo/TV equipment, etc..

If the family, however, maintains personal property for moneymaking purposes (i.e., investment purposes) the value of such items will be included in the calculation of net family assets. If there is a question/dispute over whether or not personal property is to be included as an asset the definition/ test will be as follows:

- *Necessary personal property is not expected to increase in value; and*
- *Necessary personal property is usually "used" by the owner.*

This would include *rental property for investment purposes* as an asset to the household. In this instance, the cash value of the rental property and the *net rental income* will be included as a

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source of income to the household. If the property is part of an active business, as would be the case of a person where real estate is their main occupation, then the property will be treated as Assets of the business and not as a family asset.

The Section 8 staff will include both current and actual assets the family now holds as well as assets the family has disposed of for less than fair market value (i.e., imputed assets) in the two year period preceding the date of certification or recertification.

It is the policy of this Housing Agency to exclude the imputed assets when calculating the net family assets in two instances. First, where the asset(s) were disposed of for less than fair market value as the result of a legal proceeding/judgment or, second, when the value of the asset at the time of disposal was less than \$1,000.00.

PU-§1.03 Determining Adjusted Annual Income

Adjusted annual income is defined as *gross annual income less allowable deductions from income*.

Congress has established the deductions and allowable expenses to be deducted from the gross annual income. Currently, the Housing Agency is implementing the following deductions from income as applicable to each family's individual circumstances:

- \$480 dependent deduction
- \$400 elderly/disabled household deduction

Neither of these deductions from income requires third party verification. Eligibility for the *dependent* and *elderly household* deduction is achieved through a Section 8 staff evaluation of the family's circumstances and prevailing HUD instructions/definitions.

Allowable expenses, which can be deducted from gross annual income, must be third party verified and include:

- Reasonable childcare expense
- Allowable handicapped assistance expense; and
- Allowable medical expense

PU-§1.04 Housing Agency Child Care Policy

1. Consistent with current HUD instructions at 24 CFR 5 and handbook 4350.3 CHG1, the MAHA will deduct reasonable childcare expense when all of the following is true (and verifiable):
2. Expense enables a family member to go to work, to school or to look for a job after recently losing a job; (up to 20 hours weekly with documentation acceptable to the

Municipality of Humacao Housing Agency).

3. In instances where the childcare is necessary to allow an adult family member to seek employment, the agency will allow up to 20 hours of weekly child care expense. The family must provide documentation to support both their efforts to gain employment, and the related childcare expense. Staff may use receipts or similar forms of verification that are dated for the period of eight weeks preceding the certification.
4. "School" is either academic or vocational and the course of study will result in a degree/diploma or a certificate;
5. Enrollment in school is either full- or part-time in accordance with that institution's definition;
6. Expense is for the care of children in the assisted household who are age 12 or younger (including the cost of care for a foster child age 12 and younger which is not paid/reimbursed);
7. Childcare expenses cannot be paid to a family member residing in the assisted unit nor paid (or reimbursed) by an organization or individual outside of the unit;
8. Expense is reasonable in terms of cost and relationship to eligible activity (as stated in [a] above).
9. Any expense associated with the keeping of children to allow a family member to go to work does not exceed the earnings of the individual who is enabled to work.
10. No adult is available or capable of providing the childcare during the hours required.
11. Childcare expenses (not to exceed \$600.00 annually) to unable a family member to seek employment.

Procedures for Establishing Reasonable Costs of Child Care

To determine if the cost of the childcare is reasonable the Housing Agency will conduct a survey of childcare providers at least annually. This survey will include both "in-home" providers as well as institutional providers (e.g., **Kinder Care Center**). Section 8 staff will be provided a schedule of "reasonable" charges and the maximum cost to be deducted will be established in light of the survey results.

If the family incurs expense in excess of the stated amounts on the Housing Agency's schedule the survey amount will become the maximum allowable expense to be deducted unless there are extenuating circumstances. In such cases the approval to exceed the scheduled amounts must be approved by the supervisor of Housing Representatives on a case-by-case basis.

PU-\$1.05 Income Verification Requirements

The Housing Representative will request only that information which is necessary to determine the family's eligibility or level of assistance. For some types of income listed in Appendix 1 of

this plan, appropriate requests for information are combined with the types of verification that are permitted.

In deciding whether to add information to a particular verification request that is not listed below, the Housing Representative must ask:

- *Is this information necessary to determine the individual's eligibility for assistance or level of assistance?* If the answer is *yes*, then the Housing Representative may verify that information.
- If the answer is *no*, then the Housing Representative may not verify that information.

V. INSPECTIONS OF DWELLING UNIT [24 CFR '982.401]

1. Initial Inspection of Unit

Before approving any Lease Agreement, the Authority shall inspect the unit for compliance with the HUD Housing Quality Standards, as amended by local code, where applicable. Any such amendments to the HQS will board adopted.

- a. If there are any deficiencies that must be corrected, the Housing Agency shall notify the Owner and tenant of the corrections required. The Housing Agency shall re-inspect the unit to insure that all deficiencies are corrected prior to approving a Lease or HAP Contract.
- b. The Authority shall prepare and maintain reports on initial inspections and any required re-inspections. The inspection report shall specify (i) any deficiencies that must be corrected; and (ii) any other deficiencies (comments), as a factor in determining the *reasonableness* of the rent to owner.

2. On-going Inspections to Determine If Unit meets HQS

The Housing Agency shall inspect or cause to be inspected each unit at least annually, and at such other times as may be necessary, to assure that the owner and tenant family is maintaining the unit to meet the HQS and providing the agreed upon utilities and other services.

3. Applicability of the HQS Occupancy/Space Standard

The HQS Occupancy Standard shall be used as *acceptability criteria* for space and security requirements. The *family unit size* on the assigned housing choice voucher shall be established in accordance with the following general criteria:

- a. Parents are not required to share a bedroom with a child (regardless of age)

- b. Children of the same sex are expected to share a bedroom (regardless of age)
- c. Two children of the opposite sex, ages 6 or younger are expected to share a bedroom
- d. Two children of the opposite sex over the age of 6 are not expected to share a bedroom
- e. Adults of different generations (e.g., grandmother, mother, daughter) will be assumed to have separate bedrooms
- f. An unrelated adult, such as a live-in aide, is not expected to share a bedroom with a family member
- g. Elderly or disabled household members (related or unrelated) will be considered for separate bedrooms; and
- h. Spouses or persons operating in a *spousal type* relationship are expected to share a bedroom.

Exceptions to the above criteria will be made, when necessary, for persons with disabilities as a *reasonable accommodation* under law. For example, a husband and wife could be assigned a two bedroom voucher if there are documented disabilities/medical conditions that necessitate separate bedrooms.

Similarly, a family may actually select a unit smaller than the designated *family unit size* as long as the unit selection will not result in more than two persons sharing a *sleeping room* (as defined by HUD regulations).

The Housing Agency shall not charge the family or the owner for any inspection performed. (24 CFR §982.405.)

4. Determination that Unit does not meet HQS

The owner is generally responsible for maintaining a unit in accordance with the HQS, and failure to carry out this responsibility can result in Housing Agency enforcement action.

When a unit does not meet the HQS and the Owner or tenant fails to take corrective action after being duly notified, the Housing Agency may exercise any of its rights, including abatement of HAP (even if the family continues in occupancy), reduction of HAP and/or termination of the Contract. The Housing Agency cannot make HAP for a dwelling unit that fails to meet the HQS unless the owner corrects the defect(s) within the time period specified by the Housing Agency.

Life threatening defects must be corrected within no more than 24 hours, and other defects must be corrected within no more than 30 days or any Housing Agency-approved extension.

Life threatening defects are defined to include, but not necessarily limited to:

- Electrical hazards (e.g., *exposed wiring, “shorting”, open/non-functioning junction boxes, improper wiring, etc.*);
- Broken/missing smoke detectors
- Severe tripping hazards (e.g., *missing floorboards, severely broken/missing steps in rooms used for living, etc.*)
- Severe water leaks (i.e., freely running water that poses a threat to life or property)
- Noxious gases/odors
- Blocked fire exits
- Sharp edges (e.g., broken protruding glass)
- Improperly stored flammable liquids (e.g., gasoline, kerosene, etc.)
- Health hazards as defined by local/county code

5. Family Obligation to Comply with the HQS

The family is responsible for any HQS breach caused by its failure to maintain tenant paid utilities, by its failure to maintain tenant-supplied appliances, or damage to the unit by a family member or guest over and above ordinary wear and tear. The family, like the owner, must correct any life-threatening defect for which it is responsible within no more than 24 hours and any other defect within 30 days or any Housing Agency-approved extension.

The Housing Agency may terminate Section 8 rental assistance for a family that causes an HQS breach. [24 CFR §982.404]

6. Housing Agency and Owner Obligations for Units with *Lead-Based Paint*

Prior to execution of the HAP contract the owner must inform the Housing Agency and the family of any knowledge the owner has of the presence of lead-based paint on the surfaces of the residential unit. [24 CFR §982.401]

The Municipality of Humacao Housing Agency will inspect units constructed before January 1, 1978, **expected to be occupied by children under the age of six** to determine if there is deteriorated paint. All deteriorated paint will be made intact before the Municipality of Humacao Housing Agency will enter into a HAP contract. If the unit will be occupied by a child with an *elevated intervention blood lead level*, the Municipality of Humacao Housing Agency will perform an inspection of the unit to determine whether there is lead-based paint on chewable surfaces or any deteriorated lead-based paint. Chewable surfaces include all painted chewable surfaces in the unit within reach of a six-year-old child (i.e., painted surfaces up to five feet from the floor).

The Municipality of Humacao Housing Agency will pay for the lead-based paint testing of unit

constructed before January 1, 1978 that will be occupied by children under the age of six if the local or state health agencies are unwilling or unable to do so.

A clearance test will be performed by the Municipality of Humacao Housing Agency for initial and annual units when the amount of deteriorated paint exceeds the *de minimis* levels specified in the regulations of no more than 20 square feet collectively on exterior surfaces or no more than two square feet in any one interior space or room, or no more than 10 percent of the total surface area on an interior or exterior type of component with a small surface area such as window sills, baseboards, and trim. The Municipality of Humacao Housing Agency will ensure that the owner is responsible for:

- a. Payment of subsequent clearance test where the initial clearance test failed the unit, and
- b. Submittal of the results of the subsequent clearance tests to the Municipality of Humacao Housing Agency and the family.

Pursuant to §982.401(j)(3) the Municipality of Humacao Housing Agency will undertake a visual inspection for defective paint surfaces, on which paint is cracking, scaling, chipping, peeling or loose, in all pre-1978 units that will be occupied by families with children under the age of six. If defective paint surfaces are found, the unit may not be approved unless surfaces have been treated in accordance with §982.4401(j)(6).

When inspecting a dwelling unit (both initial and annual inspections) that was constructed before January 1, 1978, and that will be occupied by a family with a child under the age of six with an identified EBL condition, the Housing Agency will include:

- a. Visual inspection for deteriorated paint;
- b. A test for lead-based paint on chewable surfaces; and
- c. Any other tests required by local or State laws.

The Municipality of Humacao Housing Agency will also inspect and, if applicable, have the owner treat exterior chewable surfaces within five feet from the ground.

The MAHA will conduct a risk assessment of the unit in which the child, under age of six with an environmental intervention blood-lead level (EIBLL) lived at the time the blood was last sampled, unless an evaluation has already been conducted by the public health department. Risk assessments will be conducted within 15 days of being notified by the public health department or other medical health providers that a EIBLL child under age of six resides at a unit assisted by a housing choice voucher pursuant to 24 CFR §35.1350(d).

Clearance inspections will be performed within 24 hours of the owner's notification that repairs have been completed. For initial units, if the unit fails a second time the Municipality of Humacao Housing Agency shall notify the owner that the family may not lease the unit with

assistance under the housing choice voucher program, unless final clearance is achieved. If the unit is under a HAP contract, the Municipality of Humacao Housing Agency will notify the owner that the Housing Agency will abate payments and that the HAP contract will be terminated once the family is relocated.

7. PHA Data Collection and Record keeping

The owner and the Housing Agency must comply with all requirements of the final rule on Lead-based Paint published, effective September 15, 2000.

The Housing Agency will attempt to collect annually from local health agencies the names of children with an *elevated blood level (EBL)* and will annually attempt to match this information with the names and addresses of assisted families. If a match occurs, the Housing Agency must determine whether local health officials have tested the unit for lead-based paint. If the unit has lead-based paint the Housing Agency will require the owner to treat the lead-based paint in accordance with 24 CFR 982.401. If the owner does not take the required corrective action in the time prescribed, the Housing Agency will issue the affected family a voucher to move.

The Housing Agency will keep a copy of each unit's inspection report for at least three years. If a dwelling unit requires testing for lead-based paint, or if the dwelling unit requires treatment of chewable surfaces based on the testing, the Housing Agency will maintain the unit inspection reports indefinitely and, if applicable, the owner's certification of treatment.

The Municipality of Humacao Housing Agency will document that it requested from local and State health departments the address of families with RBL children assisted with housing choice vouchers in the tenant-based assistance programs.

8. Applicability of Local Code to Health and Safety

Section 8 Representatives will use local code requirements for existing housing in determining the appropriate corrective action to be taken by an owner for any defects related to the health and/or safety of the occupants.

9. Conduct of Quality Control (QC) Inspections

The Section 8 program supervisor will re-inspect at least **10 units** initially inspected by the Section 8 Housing Representatives.

The QC inspections will be performed throughout the year, and a record of all such QC inspections will be maintained in a separate file, as SEMAP Documentation.

The QC sampling will include units that initially passed and failed HQS to assure:

- Consistency between Representatives

- Uniform application for HQS

PV-§1.00 Overview

The Municipality of Humacao Housing Agency adheres to the acceptability criteria as found in 24 CFR 982.403 and the HUD Inspection Booklet (governing the Section 8 Housing Quality Inspection Standards). HUD's Housing Quality Standards are applicable to all housing assisted under any form of HAP contract.

PV-§1.01 *New/Move Unit Inspection Procedures*

The Housing Agency shall conduct unit inspections before lease approval and execution of a HAP Contract to ensure the unit is in compliance with the HQS or HUD approved variations for the Municipality of Humacao Housing Agency's Section 8 program.

Once a Voucher- Holder and prospective owner have requested lease approval for a specific unit, the Housing Agency is responsible for the following:

1. The Housing Inspector shall make every reasonable effort to schedule a unit inspection on the date the owner indicates the unit will be ready for inspection within seven days of receiving RFTA, or as soon thereafter as possible. Lengthy delays of inspections will be avoided since delays can cause owners and families to lose interest in program participation.
2. The Housing Inspector shall conduct a thorough inspection of the unit to determine compliance with all *HQS Performance Requirements and Acceptability Criteria* prior to lease approval.
3. *Marginal units* (i.e., those that are likely to fall below the HQS within a year) will not be approved.
4. The Housing Inspector will inspect the unit using the long or short version of Form HUD 52580, as instructed by the supervisor of inspections.
 - If the unit fail its initial inspection the owner will be given ten (10) calendar days in which to make the required repairs.
 - If the unit fails the re-inspection and the owner cannot show "good cause" for failure to comply, the unit shall not be eligible for reinspection under the same RFTA. Family shall be advised to search for another unit and to submit another RFTA before the expiration date of the voucher.

All determinations resulting from each inspector's on-site inspection will be adequately documented in the participant file.

PV-§1.02 Additional Duties of the Inspector

Prior to or during the inspection, the Housing Inspector (Representative) shall obtain the following information to assist the Housing Representative in making additional determinations which are required by the program:

1. The actual number of bedrooms (excluding living/sleeping rooms) contained within the unit to insure that the proper FMR limitations are used and that the owner's statements on the *Request for Tenancy Approval* regarding unit size are factual (applicable to the voucher program).

For example, an owner may have considered the unit to be a three bedroom unit, but the Housing Agency may find that only two of the bedrooms meet the applicable HQS criteria (e.g., a window, two electrical outlets or one outlet and one permanently installed light fixture).

Unless the owner is willing and able to bring the third bedroom into compliance, the unit must be considered a two-bedroom unit for rent reasonableness, and for determining whether the unit meets the HQS space and security criteria.

2. Information with respect to the unit's age, quality, amenities, location, contract and gross rents, unit type, and square footage of living space, which is necessary to determine whether the requested rent to owner is reasonable.

The Housing Agency's Representatives will assist in collecting and validating the information given as they have first hand knowledge of the units and the rental marketplace.

PV-§1.03 Annual Inspection Procedures

The Housing Agency is required to inspect each dwelling unit at least annually to determine if the owner and tenant family is maintaining the unit in a decent, safe, and sanitary condition.

1. The Housing Agency shall conduct its annual inspection(s) within one year of the date of the previous inspection. The annual re-inspection will usually coincide with the anniversary date of the contract. In some limited circumstances the Section 8 Office may conduct the re-inspection and the family re-examination at different points in time, but both activities will occur within 12 months of the initial activity.
2. The Housing Agency will also promptly conduct inspections as part of the re-exam process to ensure that any deficiencies are corrected as of the anniversary date.
3. The same procedures and forms as used for initial inspections shall be used for annual

inspections.

4. At re-exam, the inspector shall use the inspection form to document improvements that may have been made to the unit since the last inspection to determine whether information pertaining to rent reasonableness should be updated. This documentation for Housing Agency files is especially important if the owner is requesting an annual adjustment in the contract rent on the basis of such actions.
5. The Housing Agency shall also cite recommended improvements to encourage upgrading of units above the HQS on the annual inspection form. Such improvements may be in the owner's best interest since this may justify a higher comparable rent.

PV-§1.04 Special Unit Inspections

There may be circumstances other than the initial and annual inspections which require the Housing Agency to determine a unit's compliance with the HQS criteria, as follows:

- Written or oral complaints/requests from participating families, owners, or other sources regarding the unit's condition or lack of maintenance and services by the responsible parties; or
- Owner requests to determine if a unit (s) qualifies for potential participation, such preliminary inspections may not be considered as substitutions for required initial inspections that may result from the submission of a Request of Lease Approval.

PV-§1.05 Required Actions After Completed Inspections

1. Initial Inspections

The following requirements apply to results of inspections performed in connection with an initial RFTA Tenancy. If the inspector has questions about the adequacy of certain items, these issues will be discussed with the family.

- a. If the Housing Agency's inspection reveals that the unit meets the applicable HQS criteria, the Housing Agency may proceed with the other necessary determinations, such as rent reasonableness, preparation of HAP Contract and approval of lease, etc. The Section 8 Housing Representative shall notify the owner and family of the inspection results and may send the family a copy of the completed form.
- b. If the Section 8 Inspection reveals HQS violations, the Housing Agency shall notify the owner and the family that the unit may not be leased under the program until all deficiencies is corrected. A written list of the deficiencies will be forwarded to both the owner and the family with a prescribed time period for corrective action (10 ten calendar days unless there are extenuating circumstances).
- c. At the time of re-inspection of the failed unit the Section 8 Inspector will re-inspect all those items that were cited in the original deficiency notice. Should the unit pass the re-inspection the Section 8 Inspector will document the file accordingly and promptly notify the Housing Representative of the need to precede with the other required lease-up activities. Should the unit fail the re-inspection the owner and family will both be notified that the unit will not be re-inspected under the initial RFTA and that the family is to continue their search.
- d. Neither the family nor the owner is entitled to an informal review of the decision

to fail the unit for non-compliance with the HQS.

2. Annual Inspections

If the occupied unit fails HQS; or is otherwise not in compliance with any other provisions of the HAP Contract, the Section 8 Inspector will immediately notify the owner of the deficiencies, in writing. It is not the responsibility of the Section 8 Housing Inspector to prepare detailed repair specifications. The notice will describe the deficiencies which are in violation of the HQS and require that the conditions be corrected within a time period specified by the Section 8 Inspector to be determined by the Housing Agency as follows:

- a. If there are serious deficiencies that present an immediate danger to the health and safety of the family, (e.g., exhaust fumes from heating system) the Housing Agency requires the owner or tenant (to be determined by the Inspector) abate the hazardous condition within not more than 24 hours. If the owner/tenant does not take the required actions within the 24-hour time period, assistance payments will be abated until such time as the owner/tenant corrects the deficiencies.

In the event the "emergency" repairs are not completed within a maximum of 72 hours (or less if so prescribed by the Housing Agency) the contract will be terminated.

If the repairs to be made by the owner/tenant are made within the prescribed time frame the HAP will resume as of the date the deficiencies are fully corrected. The Housing Agency will not make payments for the period the unit was not in compliance and the owner/tenant had been notified, in writing, of the start of the abatement period.

- b. If there are other deficiencies that do not affect the health and safety of the occupants, a determination of whether the owner or the tenant's family must make the repairs will be made. In either case, the owner or tenant must correct the items within 30 days or less.

The time period for corrective action will be specified in the Housing Agency's notice to the owner, and such time frame will be dependent upon the type, nature, extent of the repairs to be made.

- c. If the owner or tenant does not take the required corrective action within the specified time period, the Housing Agency will determine if an extension of time is warranted depending upon the nature of the required work and any extenuating circumstances.

If an extension is not granted, the Housing Agency will either abate the housing assistance payments or terminate the HAP Contract.

- d. If the HAP Contract is terminated, the Housing Agency will determine whether to reissue the family's voucher. If the unit deficiencies, which resulted in the termination of HAP were tenant caused the family may be terminated from the program.

If the owner fails to make any owner-required repairs and the owner has a history of HQS non-compliance the owner may be barred from future/continued program participation.

- e. During the period when payments have been abated, the Housing Agency will apprise the tenant of its responsibility to pay its share of rent to the owner and will advise the owner that abatement of the HAP is not grounds for termination or other adverse action against the family.
- f. Section 8 Housing Representatives will re-inspect the unit to ensure that all HQS deficiencies have been corrected (a) as of the date of the scheduled inspection, and (b) prior to approval of any annual or special rent adjustment.

3. Special Complaint Unit Inspections

If problems similar to those discussed in the preceding sections are disclosed during a special unit inspection (e.g., performed as a result of a complaint from the family, owner, or other source), the same steps shall be taken by the Housing Agency, as outlined in the sections above, as appropriate.

If an annual or special inspection reveals that a unit or building has serious or lifethreatening deficiencies, the Housing Agency will re-inspect other units in the building leased to Section 8 assisted families, even though annual inspections of these units are not yet required.

4. Inspections Which Reveal Tenant Non-compliance

If an annual or special inspection reveals that a unit is no longer in a decent, safe, and sanitary condition according to the applicable HQS criteria because of the tenant's lack of maintenance, the tenant is responsible for taking appropriate action to correct deficiencies. In addition to notifying the tenant, in writing, of any deficiencies and corrective action required, the Section 8 Housing Representative shall also advise of the possible consequences of noncompliance. If the owner or Housing Agency is unable to get compliance from the family, the Housing Representative shall either abate the HAP payments or terminate the HAP Contract and the family's housing voucher. If the family remains in occupancy the family will become responsible for the full payment of the rent and the *assisted lease agreement* shall automatically terminate.

PV-§1.06 Termination of Payments and Contracts

If the Housing Agency finds the owner or tenant in continued noncompliance with the HQS both parties will be sent advance written notice of abatement of HAP and/or termination of the HAP contract.

When it has been determined that a unit fails to meet the HQS and the owner/tenant has failed to correct the failed items within the prescribed time frame, the housing assistance payment for the unit will be abated.

The abatement will continue until all failed items have been corrected or for 30 days from the date of abatement, whichever is the earlier.

The Housing Agency will re-inspect the abated units as soon as possible after the date of the owner's contact with the Housing Agency to report the completed work.

The abatement will end if it is confirmed at the re-inspection that all required repairs have been satisfactorily accomplished. Owner or tenant's failure to make required repairs during the abatement period will result in the issuance of the 30-day notice of termination.

While the termination notice is running the abatement will remain in effect. Once the HAP Contract is terminated it will not be reinstated for the same family, at the same unit.

The participating family will be reissued a Voucher to allow for a move with continued assistance if the HQS non-compliance was solely related to the owner's failure to act.

If the repairs are completed before the effective date of the termination, the termination notice can be rescinded if the tenant chooses to stay in the unit.

W. GROUNDS FOR DENIAL OR TERMINATION OF ASSISTANCE

The Housing Agency may deny assistance to an applicant or terminate assistance for a participant family because of the family's action or failure to act. Grounds for denial or termination of assistance may include violation of obligations under the program, prior eviction from public housing or prior termination of voucher assistance, a debt to the Housing Agency or another Housing Agency in connection with the Section 8 or public housing program, and drug related or violent criminal activity. [24 CFR §982.552-553]. The Housing Agency will terminate HAP Contracts as stipulated in 24 CFR 982.454, in the event that there are insufficient funding levels from HUD. The Housing Agency will notify in writing the landlord and participant on the date of effectiveness of termination. Once the Housing Agency regains sufficient levels of funding the Agency will re-instate participants if their circumstances have not changed.

X MAHA POLICY GOVERNING

The Housing Agency has a Policy of Zero Tolerance for “*Drug Related or Violent Criminal Activity*”. If the tenant, any member of the tenant's household, any guest or other person under the tenant's control engages in (a) any Criminal Activity that threatens the health, safety, or right of the peaceable enjoyment of their resident by persons residing in or near the participants resident. Drug related Criminal Activity means the illegal manufacture, sale, distribution, use or possession with intent to manufacture, sell, distribute, or use of controlled substance as defined in sec. 102 of the Controlled Substance Act (21 U.S.C. §802).

Tenant and persons of the age of majority listed in the tenants' household engages in one and only one such act of Criminal Activity shall be cause for termination of Assistance, and cause for refusal of subsequent housing applications for a period of three (3) years.

The Municipality of Humacao Housing Agency may utilize without regard to federal or local preferences it's available voucher Housing Agency, or any such Housing Agency/assistance made available through HUD's national pool of subsidy, to assist persons who are cooperating with a federal, state or local law enforcement investigation involving drug-related criminal activity, and when the applicant or participant is under a threat assignment and recommended for relocation to minimize or eliminate the potential for harm to the family.

Y. INFORMAL REVIEW OR HEARING ON AGENCY ACTION OR DECISION **[24 CFR §982.554-555]**

A family who feels adversely affected as a result of an agency determination is entitled to an *informal hearing*. The request for an informal discussion must be filed in writing within ten (10) and no more than fourteen (14) calendar days from the date of the written notification of the Housing Agency's action or decision.

Under the Section 8 program policies, the Housing Agency is not required to provide a hearing for determinations involving administrative discretion, general policy issues or class grievances, utility allowance schedules, refusal to extend or suspend a voucher term, refusal to approve a new lease, noncompliance with the HQS, or exercising or not exercising any right or remedy against the owner under the HAP contract. [24 CFR §982.555(b)]

PY-§1.00 Informal hearing for participant (24 CFR §982.555)

When hearing is required:

1. The Municipality of Humacao Housing Agency will give a participant's family an opportunity for an informal hearing to consider whether the following PHA decisions relating to the individual circumstances of a participant's family are in accordance with the law, HUD regulations and PHA policies:
 - a. A determination of the family's annual or adjusted income, and the use of such income to compute the Housing Assistance Payment.
 - b. A determination of the appropriate utility allowance (if any) for tenant-paid utilities from the PHA utility allowance schedule.
 - c. A determination of the family unit size under the PHA subsidy standards.
 - d. A determination that a voucher program family is residing in a unit with a larger number of bedrooms than appropriate for the family unit size under the PHA subsidy standards, or the PHA determination to deny the family's request for an exception from the standards.
 - e. A determination to terminate assistance for a participant family because of the family's action or failure to act (see §982.552).
 - f. A determination to terminate assistance because the participant family has been absent from the assisted unit for longer than the maximum period permitted under PHA policy and HUD rules.
2. In the cases described in paragraphs (a)(1) (iv), (v) and (vi) of this section, the PHA will give the opportunity for an informal hearing before the PHA terminates housing assistance payments for the family under an outstanding HAP Contract.

Notice to Family:

1. In the cases described in paragraphs (a)(1) (i), (ii) and (iii) of this section, the PHA will notify the family that the family may ask for an explanation of the basis of the PHA determination, and that if the family does not agree with the determination, the family may request an informal hearing on the decision.
2. In the cases described in paragraphs (a)(1) (iv), (v) and (vi) of this section, the PHA will give the family prompt written notice that the family may request a hearing. This notice will:
 - Contain a brief statement of reasons for the decision.

- State that if the family does not agree with the decision, the family may request an informal hearing on the decision, and
- State the deadlines for the family to request an informal hearing.

Expeditious hearing process:

Where a hearing for a participant's family is required under this section, the PHA will proceed with the hearing in a reasonably expeditious manner upon the request of the family. (i.e., 3-5 working days)

Participant's Hearing procedure:

1. *Discovery*

- a. By family. The family will be given the opportunity to examine before the PHA hearing any PHA documents that are directly relevant to the hearing. The family will provide requested copies at the cost of five cents per page payable in cash at the office of the Central Administrative Office of the Municipality of Humacao Housing Agency. If the PHA does not make the document available for examination on request of the family, the Municipality of Humacao Housing Agency may not rely on the document at the hearing.
- b. By PHA. The HA hearing procedures do provide that the PHA must be given the opportunity to examine at PHA offices before the PHA hearing any family documents that are directly relevant to the hearing. The PHA must be allowed to copy any such document at the PHA's expense. If the family does not make the document available for examination on request of the PHA, the family may not rely on the document at the hearing.
- c. Documents. The term "documents" includes records and regulations.

2. *Representation of family.* At the family's own expense, the family may be represented by a lawyer or other representative.

3. *Hearing officer: Appointment and Housing Agency.*

- The hearing may be conducted by any person or persons designated by the PHA, other than a person who made or approved the decision under review or a subordinate of this person.
- The person who conducts the hearing may regulate the conduct of the hearing in accordance with the PHA hearing procedures.

4. *Evidence.* The PHA and the family must be given the opportunity to present evidence, and may question any witnesses. Evidence may be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings.

5. *Issuance of decision.* The person who conducts the hearing must issue a written decision(s), stating briefly the reason(s) for the decision. Factual determinations relating to the individual circumstances of the family shall be based on a preponderance of the evidence presented at the hearing. A copy of the hearing decision shall be furnished within seven (7) working days to the family.

Effect of Decision. The PHA is not bound by a hearing decision:

1. Concerning a matter for which the PHA is not required to provide an informal hearing under this section, or that otherwise exceeds the Housing Agency of the person conducting the hearing under the PHA hearing procedures.
2. Contrary to HUD regulations or requirements, or otherwise contrary Federal, State, or Local laws.

If the PHA's general counsel determines that it is not bound by a hearing decision, the general counsel must notify the family within seven (7) or no more than fourteen (14) working days of the determination, and of the reasons for the determination.

Z. USE OF SECTION 8 VOUCHERS FOR WITNESS RELOCATION PURPOSES
[P.L. 104-134, 110 Stat. 1321]

Section 8 Rental Vouchers designated by HUD for the exclusive purpose of providing for families who have cooperated as witnesses in efforts to combat crime in public, Indian, and other assisted housing, including Section 8 Tenant-Based assisted housing, will be assigned consistent with the policies and procedures prescribed in HUD Notice 9683.

The Municipality of Humacao Housing Agency may utilize its own voucher funding for this same purpose on a case-by-case basis upon approval of the HUD Regional office.

In all such instance, the Municipality of Humacao Housing Agency may maintain the tenant's files of these families separate from the remaining tenant files and under a fictitious name to ensure the confidentiality and security of all such families. These files may be maintained in the office of the Manager or the Office of General Counsel of the Municipality of Humacao Housing Agency.

AA. USE OF SECTION 8 ASSISTANCE TO PROMOTE HOMEOWNERSHIP

Section 8 Housing Choice Voucher assistance may be utilized to promote homeownership opportunities under a Lease-Purchase Agreement (LPA), upon approval of the board of Housing Authority to adopt a Section 8 Homeownership Program.

The LPA is an agreement between an owner and tenant of a rental unit that gives the tenant the opportunity to purchase. The owner may offer either an option or an obligation to purchase.

The Housing Representative must review the LPA for:

- Same required provisions as for any assisted tenancy; and
- Reasonableness of rent in comparison to the rent for other comparable, unassisted units. For this purpose, comparable rent may not include any value or incremental increase for tenant's right to purchase. The rent to owner must be comparable to units without an LPA. Additionally, the tenant may not pay any amount in excess of the established tenant's rent to the owner as a condition of occupancy under the LPA.

Approval of the unit, the lease, and the lease terms will be made in accordance with the normal program requirements, including HQS.

Section 8 assistance terminates when the family takes title to the unit.

BB. CONDUCT OF ANNUAL SURVEY OF UTILITY SUPPLIERS

The Municipality of Humacao Housing Agency will undertake an annual survey of local utility suppliers. Said survey will establish the need to retain, increase and/or decrease tenant allowances based on a review of area rates and consumption.

The survey results will be formatted and submitted to the Municipality of Humacao Housing Agency Board of Housing Agency with staff's recommendation.

Whether the allowances remain the same or change, an allowance schedule will be published with a current date.

CC. EQUAL OPPORTUNITY REQUIREMENTS

The Housing Agency will administer its programs in a non-discriminatory manner. The Housing Agency shall not provide disparate services or treatment to any applicant, participant or owner based upon *race, color, creed, national origin, sex, handicap, or familial status*. The Housing Agency shall comply with all applicable provisions of federal, state and local fair housing laws. Further, the Housing Agency affirms its ongoing compliance with non-discrimination requirements governing assisted housing. [24 CFR §1 and 24 CFR §8]

DD. EXPENDITURES FROM OPERATING RESERVE

A budget is prepared by the Housing Agency for expenditures from the Operating Reserve (Section 8 administrative fees from prior years) for other housing purposes each fiscal year and approved by the Board of Housing Agency.

EE. SEVERABILITY

If any rule, section, sentence, clause or phrase of the rules and regulations or its application to any person or circumstances or property is held to be unconstitutional or invalid, the remaining portions of these rules and regulations or the application of these rules and regulations to other persons or circumstances or property shall not be affected. The Housing Agency hereby declares that it would have adopted these rules and regulations, and each and every rule, section, sentence, clause or phrase thereof, irrespective of the fact that any one or more of the other rules, sections, sentences, clauses, or phrases is declared unconstitutional or invalid.

FF. REPAYMENT POLICY AND PROCEDURE

Repayment Agreements may be used to modify the terms (periodic amount and timing) of delinquent amounts owed. The circumstances under which repayment agreements are acceptable are under the discretion of the Section 8 manager as long as the family meets the basic eligibility requirements, as stated below, for a repayment agreement. The Section 8 manager is cautioned against the indiscriminate use of these agreements as they can become an obstacle to timely collection of monies due and owing the Housing Agency.

PFF-§1.00 Purpose of Repayment Agreement

A repayment agreement sets up an legally binding agreement between a delinquent tenant and the Municipality of Humacao Housing Agency under which the tenant agrees to pay current rent and charges plus a fair amount each month toward delinquent rent or charges until the delinquency is repaid in full.

The Municipality of Humacao Housing Agency, for its part, agrees not to terminate the lease of the delinquent tenant for nonpayment unless the tenant breaks the terms of the repayment agreement.

PFF-§1.01 Eligibility to Enter into a Repayment Agreement

A tenant is eligible to execute a repayment agreement when all of the following conditions are met:

1. No other repayment agreement is in force,
2. Any repayment agreements executed within the past 12 months have been fully satisfied in the manner prescribed by the agreement,
3. The tenant has not been delinquent 3 times within the preceding 12 month period,
4. The repayment agreement is requested within the 14 day delinquency remedy period which is concurrent with the running of the 14-day notice (this requirement may be waived if the tenant can prove that he/she was physically incapable of requesting this agreement during this period of time through no fault of his/her own),
5. The tenant is not under any actual or pending eviction proceeding,
6. There are no carryover balances from the previous month, and
7. The reason for the request for the repayment agreement is valid and is fully substantiated and documented.

Generally, these agreements should be restricted to clear cases of hardship (e.g., death in the immediate family, serious illness of tenant/lease holder, lost or stolen benefit check/paycheck, an unexpected Municipality of Humacao Housing Agency charge that exceeds the tenant's ability to pay in one sum). The Section 8 supervisor shall document the reason for granting each request for a repayment agreement.

PFF-§1.02 Terms of Repayment Contracts

The maximum duration of any repayment agreement that the Section 8 manager may approve shall be 12 months, inclusive of the month in which the down payment is made. The terms of all Municipality of Humacao Housing Agency repayment contracts shall be as follows:

<u>Balance Due</u>	<u>Payment Due</u>
\$26-\$100	\$25 down and \$25 per month
\$101-\$500	25% down and balance within 11 months with minimum payment of \$35/month
\$501-\$1000	25% down and balance within 11 months with minimum payment of \$50/month
\$1001+	25% down and balance within 11 months with minimum payment of \$75/month

When the down payment required exceeds \$125, the Section 8 supervisor may approve arrangements resulting in the payment of the portion that exceeds \$125 in equal installments over a two-month period.

Note: To apply the 25% in the recovery of Money, the Program will have to first assess the income of the participant. If the participant does not have sufficient income to cover the down payment, then the Municipality will re-settle a payment plan according to their economic capacity.

PFF-§1.03 Preparation to Negotiate a Repayment Agreement

The Section 8 supervisor will conduct a file review before meeting with the tenant to determine whether the tenant's rent was computed correctly, whether the tenant is entitled to some interim reduction in rent not yet granted, whether the tenant utility allowance schedule has been reviewed within the past year as required by HUD regulations (24 CFR, Part 965), or whether the tenant might be entitled to a rent abatement because of documented conditions hazardous to life, health or safety.

Any of these situations might reduce or alter the amount delinquent (or eliminate the delinquency) so all these possibilities must be checked before meeting with the tenant. If any of these conditions are present and warrant a reduction in the amount of rent or charges due, an adjustment is to be made and any resulting rent credit shall be applied retroactively to the time that the circumstances arose.

The Section 8 supervisor's file review should also include an examination of the tenant's payment history, any pending eviction actions, special circumstances and income. The Section 8 supervisor should be thoroughly familiar with the specific tenant's circumstances and be able to fully document the tenant's eligibility and sufficiency of justification for a repayment agreement.

PFF-§1.04 Negotiating a Repayment Agreement

Once the Section 8 manager has determined that the tenant is eligible the parties will meet to address the terms of the agreement. The primary topics for the negotiation are the down payment and the amount of the subsequent monthly payments under the agreement. The negotiation shall be carried out in a professional and non-threatening manner.

The Section 8 supervisor should attempt to shorten the duration of the agreement by seeking the largest down payment and subsequent monthly payments that the tenant can afford. Under no circumstances may the Section 8 manager agree to a term that is in excess of 12 months which requires a down payment of less than what is specified by the Municipality of Humacao Housing Agency policy.

The Section 8 supervisor shall emphasize to the tenant that the repayment agreement being negotiated must be paid off in full and in accordance with the terms before the tenant can be considered for any other repayment agreement. The Section 8 supervisor should also inform the Municipality of Humacao Housing Agency Section 8 Administrative Plan & Procedures: March 2005

tenant that failure to abide by the terms of the agreement will be grounds for termination of rental assistance for amounts due and owing the Housing Agency.

PFF-§1.05 Executing the Repayment Agreement

When the terms of the Agreement have been settled, the Section 8 Housing Representative will complete the Repayment Agreement for approval and signature of the Section 8 supervisor. The form will then be explained to the tenant and both parties will sign it in the appropriate places. Two copies of the executed Agreement will be made and given to the tenant. The supervisor will place the original of the agreement in the tenant's file.

The Section 8 supervisor shall provide accounting with the pertinent information from all executed repayment agreements.

GG. FAMILY SELF-SUFFICIENCY ENROLLMENT

The Municipality of Humacao Housing Agency will enroll families as required and consistent with 24 CFR §984.105 in the Family Self-Sufficiency Program (FSS), to promote the development of local strategies, integrate programs, and coordinate public and private resources to enable low-income families to achieve economic independence and self-sufficiency.

Under the FSS Program, participating families will enter into contracts with the Municipality of Humacao Housing Agency to set forth the resources for education, job training, counseling and other forms of assistance while living in assisted housing.

The FSS program will limit the increase in rent payable by very low-income families due to increases in earned income. The excess will be used to fund an escrow savings account that is available to the family upon successful completion of the program.

HH. DOMESTIC VIOLENCE, SEXUAL AND ABUSE CRIMES AGAINST WOMEN AND CHILDREN

The Municipality of Humacao, in compliance with the laws against domestic violence, sexual abuse and crimes against women and children, provide by all means possible, to all the families affected and requiring assistance, assistance for service, including referring to any agency that is able to handle these cases and that could give all necessary assistance.

Among the agencies that the municipality accounts, are the Office of Women's Affairs, the Office of Citizen Assistance, Child Care and Early Head Start.

The laws relating here, as:

Public Law 109-162 of the Act Against Violence Against Women (VAWA), Act 54 of Puerto

Will not be allowed in our program, to any person who has been accused of committing any crime against these laws, whether within or outside our jurisdiction. This is in compliance with Public Law 266, Puerto Rico (Articles 5 and 7) and federal regulations (24CFR982.53), which provides for denying the involvement of these individuals in the program.

VAWA and Sexual offenders

To implement VAWA, the Municipality of Humacao (RQ025) has adopted the following goals and objectives, as Domestic Violence Policy:

1. VAWA applies to the Housing Choice Program for vouchers (Section 8 program).
2. The applicant / tenant / victim must be treated with respect and dignity.
3. The PHA will notify holders of vouchers on their rights under VAWA, including the possibility of the portability of their voucher to another jurisdiction, so you can escape the imminent threat of possible domestic violence or stalking.
4. VAWA will be incorporated into the process of orientation of both the landlord and the tenant.

If necessary, and in accordance with laws, policies, processes and documentation of the program it will perform the necessary amendments, as required in the guidelines for HUD, including written notification of the same.

Sex Offenders:

The Municipality of Humacao refused admission to any family member, subject to the registration requirements for life under the State Program Registration Sexual offenders. Those not subject to sexual offenders register for life; they will be denied assistance, the term that lasts registration on the list as sex offenders.

Those identified as sex offenders, could be referred by the municipality to other agencies for help.

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Appendix 1: Sample formats for obtaining written and/or oral third party verifications

A. Employment Income.

1) Relevant Information to Verify with Third Party:

a) Nonmilitary employment

(1) Date first employed

(2) BASE PAY RATE (Gross) (check one)

Per Hour \$_____; OR per Week \$_____ OR
Per Month \$_____.

Date present rate effective _____

Expected Average Hours to be worked during next 12 calendar months at Base Pay Rate:

Per Week _____ or Per Month _____.

(3) OVERTIME PAY RATE

Per Hour \$_____

Expected average number of hours to be worked per week during next twelve calendar months _____ hours.

(4) OTHER COMPENSATION NOT INCLUDED ABOVE
(Specify for Housing Agency's, bonuses, tips, etc.)

FOR _____ \$ _____
Per _____

(5) TOTAL Anticipated Base Pay Earnings for the next 12 calendar months

TOTAL Anticipated Overtime Earnings for the next 12 calendar months

(6) Medical Insurance Premium Deducted (if any) (Currently, applicable to elderly families only)

- (7) Has Employment been terminated? ___Y ___N
If Yes, Is Individual Eligible for Unemployment Benefits?

B. Military Employment

- (1) Years _____ and months _____ of service for pay purposes.
Number of Dependents Claimed _____

- (2) Monthly Income from the following sources:

Base Pay and Longevity Pay

Proficiency Pay

Sea and Foreign Duty Pay

Hazardous Duty Pay

Imminent Danger Pay

Subsistence Allowance

Quarters Allowance (Include only amount contributed by
Government)

Other (Explain)

TOTAL AMOUNT RECEIVED MONTHLY \$_____

- 3) Acceptable forms of verification include:

- a) Employment verification form completed by the employer verifying frequency of pay; effective date of the last pay increase; and probability and effective date of any increase during the next 12 months.
- b) Check stubs or earning statements showing employee's gross pay per pay period and frequency of pay.
- c) W-2 forms if applicant has had the same job for at least two years and pay increases can be accurately projected.
- d) Notarized statements, affidavits or income tax returns signed by the applicant describing self-employment and amount of income or income from tips and other gratuities.

- 4). Date Employment Terminated:

- 5) Relevant Information to Verify with Third Party:
 - a) Date of Hire
 - b) Date of Termination
 - c) Last Day Actually Worked
 - d) Do you anticipate rehiring this employee? If, Yes, when
 - e) Will the employee receive additional paychecks for Workman's Compensation? If YES, provide the name and address of the company through which this can be verified.
 - f) Is employee eligible for unemployment benefits?
 - g) Total Severance Pay Anticipated for the next 12 months.
- 6) Acceptable forms of verification
 - a) Termination of employment verification
 - b) Letter from employer stating date of termination.
 - c) Letter from an Housing Agency providing unemployment compensation stating that the individual's employment terminated and that unemployment benefits will begin.

C. Social Security, Pensions, Supplementary Security Income (SSI), Disability Income

This paragraph is not suggesting that Section 8 Housing Representatives group verifications of these different sources of income into one verification. Section 8 Housing Representatives may have to adapt the questions, depending on the source of income being verified. This paragraph provides suggestions on the types of questions that are appropriate to ask a third party.

NOTE: HUD anticipates that the Social Security Administration will be terminating its third party verification service in 1996. Until this happens, the Housing Agency will continue to use a third party verification that is acceptable by the Social Security Administration.

- 1) Relevant Information to Verify with Third Party:
 - a) Name of Original Annuitant
 - b) Pension Claim Number or SSN of Person Receiving the Pension Claim
 - c) Current monthly gross amount of pension or annuity
 - d) Deductions from gross for medical insurance premiums

- e) Date benefits began
- f) Effective date of current amount
- g) For annuities, ask: Did the individual invest in an annuity? If yes, what is the amount invested? Does the individual receive regular payments? When are they received (monthly, annually)?
- h) For pensions and annuities, ask: Is the individual reimbursed for medical costs?
- i) For social security, ask: Has the monthly payment been reduced for overpayment of previous benefits? If so, by how much?

2) Acceptable forms of verification:

- a) Benefit verification form completed by Housing Agency providing the benefits.
- b) Award or benefit notification letters prepared and signed by the authorizing Housing Agency. (Since checks or bank deposit slips show only net amounts remaining after deducting SSI or Medicare, they may be used only when award letters can't be obtained.)

D. Unemployment Compensation:

1) Relevant Information to Verify with Third Party:

- (a) Gross Weekly Payment
- (b) Sate of Initial Payment
- (c) Duration of benefits: ____ weeks
- (d) Is the claimant eligible for further benefits?
- (e) If No, what is the date the benefits are terminated?

2) Acceptable forms of verification

- (a) Verification form completed by the unemployment compensation Housing Agency.
- (b) Records form unemployment office stating payment dates and amounts.

E. Public Assistance:

1) Relevant Information to Verify with Third Party:

- (a) Number of Members in the Family
- (b) Names of the children for whom benefits are received and their social security numbers
- (c) Date of Initial Assistance
- (d) Is recipient covered by Medicaid? If yes, what is the Medicare spend down amount?
- (e) Does the recipient meet his/her spend down each period?
- (f) What is the Rate per month under the following grant?
- (g) Aid to Families with Dependent Children
 - (ii) General Assistance
 - (iii) Supplemental Social Security
 - (iv) Other Assistance - Type TANF
- (h) The following question applies only to "as-paid" states only: Amount Specifically Designated for Shelter and Utilities (This is the Maximum allowance for Rent and Utilities)
- (i) The Grant is increased by the following Amounts: (Specify purpose)
 - Employment income \$ _____
 - Childcare allowance \$ _____
 - Transportation \$ _____
 - Other _____ \$ _____
- (j) The grant is reduced by the following amounts:
 - Alimony \$ _____
 - Child Support \$ _____
 - Other (specify) \$ _____
- (j) Is there any thing else that will influence the amount of the grant? If yes, specify purpose and amount.

(k) Has the monthly payment been reduced for Overpayment of previous benefits? If so, by how much?

(l) TOTAL MONTHLY GRANT \$ _____

2) Acceptable forms of verification

a) All Welfare Programs. Welfare Housing Agency's written statements as to type and amount of assistance family is now receiving, and any changes in assistance expected during the next 12 months.

b) Additional Information for As-Paid Programs:

Welfare Housing Agency's written schedule or statement that describes how the "aspaidd" system works, the maximum amount a family may receive for shelter and utilities and, if applicable, any factors used to ratably reduce the client's grant.

F. Alimony or Child Support Payments:

1) Relevant Information to Verify with Third Party:

a) Amount of alimony or child support being provided to the family

b) Will such amounts be terminated within the next 12 months. If so, when?

2) Acceptable forms of verification

a) Copy of a separation or settlement agreement or divorce decree stating amount and type of support and payment schedules

b) A letter from the person paying the support.

c) Copy of latest check. PHA must record the date, amount, and number of check.

d) Applicant's notarized statement or affidavit of amount received or that support payments are not being received and the likelihood of support payments being received in the future.

G. Net Income from a Business. The following documents show income for the prior years. Housing Representatives must consult with tenants and use this data to estimate income for the next 12 months.

- 1) IRS Tax Return, Form 1040, including any:
 - a) Schedule C (Small Business)
 - b) Schedule E (Rental Property Income)
 - c) Schedule P (Farm Income)
- 2) An accountant's calculation of depreciation expense, computed using straight-line depreciation rules. (Required when accelerated depreciation was used on the tax return or financial statement.)
- 3) Audited or unaudited financial statement(s) of the business.
- 4) Loan Application listing income derived from the business during the previous 12 months.
- 5) Applicant's notarized statement or affidavit as to net income realized from the business during the previous years.

H. Recurring Gifts. Acceptable forms of verification.

- 1) Notarized statement or affidavit signed by the person providing the assistance. It must give the purpose, dates and value of gifts.
- 2) Applicant's notarized statement or affidavit that provides the purpose, dates and value of gifts.

I. Family Assets Now Held.

- 1) Relevant Information to Verify with Third Party:

For non-liquid assets, collect enough information to determine the current cash value--the net amount the family would receive if the asset were converted to cash.

- a) Type of Account
- b) Current balance or, for checking accounts, the average balance for the last 6 months

- c) Date account opened
 - d) Date account closed
 - e) Is this an interest bearing account? If so, what is the interest rate?
 - f) For trust funds:
 - (i) What is the value of the trust fund?
 - (ii) What is the anticipated amount of income to be earned by the trust over the next 12 months?
 - g) For property, what is the equity value?
- 2) Acceptable forms of verification
- a) Verification forms, letters, or documents from a financial institution, broker, etc.

NOTE: When financial institutions charge a fee to the applicant or tenant for providing verifications, the forms of verification in paragraph (b) below would be the preferred method.

- b) Account statements, passbooks, broker's quarterly statements showing value of stocks or bonds, etc., and the earnings credited the applicant account statements, or financial statements completed by a financial institution or broker.

NOTE: The PHA must adjust the information provided by the financial institution to project earnings expected for the next 12 months.

- c) Quotes from a stockbroker or realty agent as to net amount family would receive if the liquidated securities or real estate.
- d) Copy of IRS Form 1099 prepared by the financial institution showing the amount of income provided by the asset.
- e) Real estate tax statements if tax Housing Agency uses approximately market value.
- f) Copies of closing documents showing the selling price, the distribution of the sales proceeds and the net amount to the individual.

- g) Appraisals of personal property held as an investment.
- h) Applicant's notarized statements or signed affidavits describing assets or to verify cash held at the applicant's home or in safe deposit boxes

J. Asset Disposed of For Less than Fair Market Value During Two Years Preceding Effective Date of Certification or Re-certification. Suggested information to obtain, as acceptable forms of verification are included below:

- 1) Family's certification as to whether any member has disposed of assets for less than fair market value during the two years preceding effective date of the certification or re-certification.
- 2) If the family certifies that they did dispose of assets for less than fair market value--a certification that shows:
 - a) All assets disposed of for less than fair market value;
 - b) The date they disposed of the assets;
 - c) The amount the family received; and
 - d) The assets' market value at the time of disposition.

K. Income from Sale of Real Property Pursuant to a Purchase Money Mortgage, Installment Sales Contract, or Similar Arrangement The following provides suggested information to verify with a third party and acceptable forms of verification:

- 1) A letter from an accountant, attorney, real estate broker, the buyer, or a financial institution stating interest due for next 12 months. (A copy of the check paid by the buyer to the applicant is NOT sufficient since appropriate breakdowns of interest and principal are not included.)
- 2) Amortization schedule showing interest for the 12 months following the effective date of the certification or re-certification.

L. Rental Income from Property Owned by Applicant/Tenant The following provide suggested information to verify with a third party and acceptable forms of verification:

- 1) IRS Form 1040 with Schedule E (Rental Income).
- 2) Copies of latest rent checks, leases, or utility bills.
- 3) Documentation of applicant's/tenant's income and expenses in renting the property

(tax statements, insurance premiums, receipts for reasonable maintenance and utilities, bank statements or Amortization schedules showing monthly interest expense.)

- 4) Lessee's written statement identifying monthly payments due the applicant and applicant's affidavit as to net income realized.

M. Full-Time Student Status. The following provides suggested information to verify with a third party and acceptable forms of verification.

- 1) Written verification from the registrar's office or appropriate school official.
- 2) School records indicating enrollment for sufficient number of credits to be considered a full-time student by the school

N. Child-Care Expenses. The following provides suggested information to verify with a third party and acceptable forms of verification:

- 1) Written verification from the person who receives the payments.
- 2) Verifications must specify the hours and days during which the care is provided, the names and ages of the children cared for, and the frequency and amount of compensation received. (Section 8 Housing Representatives should recognize that child care costs may be higher during summer and holiday recesses.)

NOTE: Housing Representatives should ask the verifying party to indicate children age 12 or younger.

- 3) Applicant's certification as to whether any of those payments have been or will be reimbursed by outside sources.

NOTE: Housing Representatives may wish to use separate verification consents for childcare and disability/handicap care

O. Medical Expenses. The following provide suggested information to verify with a third party and acceptable forms of verification:

- 1) Written verification by a doctor, hospital or clinic personnel, dentist, pharmacist, etc., of:
 - a) The estimated medical costs to be incurred by the applicant and of regular

payments due on medical bills; and

- b) The extent to which those expenses will be reimbursed by insurance or government Housing Agency.
 - c) Whether the provider accepts Medicare assignment.
- 2) The insurance company's or employer's written confirmation of health insurance premiums to be paid by the applicant.
 - 3) Social Security Administration's written confirmation of Medicare premiums to be paid by the applicant over the next 12 months.
 - 4) For attendant care:
 - a) Doctor's certification that the assistance of an attendant is medically necessary.
 - b) Attendant's written confirmation of hours of care provided and amount and frequency of payments received from the family (or copies of canceled checks the family used to make those payments).
 - c) Applicant's certification as to whether any of those payments have been or will be reimbursed by outside sources.
 - 5) Receipts, canceled checks, or pay stubs that indicate health insurance premium costs, etc., that verify medical and insurance expenses also likely to be incurred in the next 12 months.
 - 6) Copies of payment agreements with medical facilities or canceled checks that verify payments made on outstanding medical bills that will continue over all or part of the next 12 months.
 - 7) Receipts or other record of medical expenses incurred during the past 12 months that can be used to anticipate future medical expenses. Section 8 Housing Representatives may use this approach for "general medical expenses", such as non-prescription drugs and regular visits to doctors or dentists, but not for one time, nonrecurring expenses from the previous year.

P. Need for Larger Unit because of Physical or Mental Disability or Handicap A health care provider (that is deemed a reliable source) must certify that such a unit is necessary because of a disability or handicap. As a routine practice, Section 8 Housing Representatives should accept

the recommendation of the individual as to which health care provider can provide this information.

Q. Disabled/Handicap Assistance Expense

- 1) Attendant Care:
 - a) Attendant's written certification as to: amount received from the applicant/tenant; frequency of receipt; hours of care provided; and/or copies of canceled checks applicant/tenant used to make those payments.
 - b) Family's written certification as to whether they receive reimbursement for any of the attendant care expenses and the amount of any reimbursement received.
- 2) Auxiliary Apparatus: Receipts for purchases of, or evidence of monthly payments for, auxiliary apparatus.
- 3) In all Cases:
 - a) As routine practice, Section 8 Housing Representatives should accept the individual's written statement that an auxiliary apparatus or attendant care is necessary for employment. If the PHA determines that verification is necessary in a particular case, the PHA should obtain written certification from a health care provider (that is deemed a reliable source) or a rehabilitation Housing Agency that the disabled/handicapped family member requires the services of an attendant or the use of auxiliary apparatus to permit the disabled/handicapped family member to be employed or to enable another family member to be employed. This paragraph follows established practices regarding individuals' requests for reasonable accommodations where the PHA relies on the individual to determine what is needed.
 - b) Family's written certification as to whether they receive reimbursement for any of the auxiliary apparatus expenses and the amount of any reimbursement received.

R. Family Type and Membership in Family:

- 1) For elderly household where the Head, Co-Head or Spouse is 62 years of age or older--Verification of age may be provided by:

- a) Copy of a birth certificate, baptismal certificate, census record, official record of birth or other authoritative document or
 - b) Receipt of SSI Old Age benefits or Social Security retirement benefits.
- 2) For Disability or Handicap (because the individual's eligibility for admission is dependent on his/her being a person with handicaps or disabilities or because the individual claims eligibility for allowances that are given to persons with handicaps or disabilities)

Verification of handicap/disability may be provided by:

- a) Receipt of Supplemental Social Security disability or Social Security disability benefits would provide verification that an individual met the HUD definition of disabled
- b) Certification by a health care provider (that is deemed to be a reliable source) that the individual meets the relevant definition of disabled or handicapped person.

Note: Any other request for information about the individual is not relevant and may not be asked (e.g., diagnosis; treatment plan).

- 3) For family membership of persons younger than age 18-verification of age may be provided by birth certificate, adoption papers and/or custody agreements.

S. Local Preferences:

1) **Involuntarily Displaced:**

- a) Relevant Information to Verify with Third Party:
 - (1) Date of Displacement or if displacement has not yet occurred, the anticipated date of displacement;
 - (2) The applicant will be involuntarily displaced if the applicant has vacated or will have to vacate his /her housing unit as a result of one or more of the following actions:
 - (i) A disaster, such as a fire or flood, has made the unit uninhabitable;
 - (ii) Code enforcement, public improvement or development

program activities by a U.S. Housing Agency or a State or local government body or Housing Agency;

- (iii) The owner/PHA has taken an action which forces this applicant to vacate the unit:

The action was beyond the applicant's ability to control or prevent;

The action occurred despite the applicant's having met all previously imposed conditions of occupancy and

The action was not a rent increase.

- (iv) The applicant has vacated a housing unit because of domestic violence or the applicant lives in a housing unit with a person who engages in domestic violence or has recently engaged in such violence. Provide the name of the person who engages in domestic violence.

NOTE: The applicant must certify that the person who engaged in such violence will not reside with the applicant family, unless the PHA has given advance written approval. If the family is admitted, the PHA may deny or terminate assistance to the family for breach of this certification.

Domestic violence means actual or threatened physical violence directed against one or more members of the applicant's family by a spouse or other member of the applicant's household. The violence must have occurred recently or is of a continuing nature.

- (v) Family members provided information on criminal activities to a law enforcement Housing Agency and based on a threat assessment, a law enforcement Housing Agency recommends re-housing the family to avoid or minimize a risk of violence against family members as a reprisal for providing such information.
- (vi) One or more members of the applicant's family are or recently have been the victim of one or more hate crimes and the applicant has vacated a housing unit because of such crime, or the fear associated with such crime has destroyed the applicant's peaceful enjoyment of the unit.

Hate crime means actual or threatened physical violence or intimidation that is directed against a person or his or her property and that is based on the person's race, color, religion, sex, national origin, handicap, or family status.

- (vii) The current unit is inaccessible to a member of the family because:

A member of the family has a mobility or other impairment that makes the person unable to use critical elements of the unit and

The current owner is not legally obligated to make the changes to the unit that would make critical elements accessible to the disabled person.

NOTE: It is most likely that two separate third parties would verify the above statements.

- (viii) Family will be displaced as a result of the sale of a HUD multifamily project.

2) Acceptable Forms of Verification

- (1) Displacement by disaster. Verification from a unit or Housing Agency of government that an applicant has been or will be displaced as a result of a disaster that results in the inhabitability of an applicant's unit.
- (2) Displacement by government action. Verification from a unit or Housing Agency of government that an applicant has been or will be displaced by activity carried on by an Housing Agency of the United States or by an State or local government body or Housing Agency in connection with code enforcement or a public improvement or development program.
- (3) Displacement by Private PHA action. Verification in a form prescribed by the Secretary, from an owner or owner's agent that an applicant had to or will have to vacate a unit by a date certain because of PHA action.
- (4) Domestic violence. Verification of displacement because of domestic violence from the local police department, social services Housing Agency, or court of competent jurisdiction, or a member of the clergy, physician, or public or private facility that provides shelter or counseling to the victims of domestic violence.
- (5) Displacement to avoid reprisals. A threat assessment by law enforcement Housing Agency.

- (6) Displacement by hate crime. Verification by a law enforcement Housing Agency or other reliable information.
- (7) Displacement by inaccessibility of unit. Verification by a health care professional that a family member has a mobility or other impairment that makes critical elements of the current unit inaccessible and statement by the current PHA that it is not legally obligated to make necessary changes to the unit to make it accessible.
- (8) Displacement by HUD disposition of multifamily project. Verification by HUD with respect to the disposition.

2) **Substandard Housing:**

a) Relevant Information to Verify with Third Party:

(1) The unit:

- is dilapidated because it:
- does not provide safe and adequate shelter, and endangers the health, safety, or well being of a family, or
- has one or more critical defects, or a combination of intermediate defects in sufficient number or extent to require considerable repair or rebuilding. (The defects may involve original construction, or they may result from continued neglect or lack of repair, or from serious damage to the structure.)

INDICATE DEFECT:

Does not have operable indoor plumbing;

Does not have a useable flush toilet in the unit for the exclusive use of the family;

Does not have a useable bathtub/shower in the unit for the exclusive use of the family;

Does not have electricity, or has inadequate or unsafe electrical service;

Does not have a safe or adequate source of heat;

Should, but does not, have a kitchen or

Has been declared unfit for habitation by an Housing Agency or unit of government.

NOTE: Single Room Occupancy (as defined by 24 CFR 982.102) is not substandard solely because it does not contain sanitary or food preparation facilities or both.

OR

(3) **The applicant is a homeless family that:**

lacks a fixed, regular and adequate night time residence and also has a primary night time residence that is:

a supervised publicly/private operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters and transitional housing)

an institution that provides a temporary residence for individuals intended to be institutionalized or a public/private place not designed for, or ordinarily used for sleeping by human beings.

Homeless family does not include an individual imprisoned or otherwise detained pursuant to an Act or Congress or a State law.

b) **Acceptable Forms of Verification**

(1) Verification from a unit or Agency of city of government or from an applicant's present landlord that the applicant's unit is "substandard housing"

(2) In the case of a "homeless" family, a verification of this status from a public or private facility that provides shelter for such individuals, or from the local police department or social services agency.

3) **The family is experiencing an excessive *Rent Burden* as evidenced by their paying more than 50% of gross monthly income for their monthly rent and utilities:**

a) **Relevant Information to Verify with Third Party:**

RENT

(1) The applicant named above is paying \$ _____ for rent per ____

_____. (indicate whether weekly, or monthly).

- (2) Has the applicant been paying this rent for less than 90 days? If yes, what is the amount the applicant was paying? (Indicate whether weekly, monthly)
- (3) Does the applicant pay separately for rent and utilities?

UTILITIES

The applicant named above is paying \$_____ in utilities per month..

The applicant pays on average \$ _____ per month based on the most recent 12 months. If information is not obtainable for the entire 12 months, then provide an average for the most recent period available \$_____

The applicant receives \$_____ per month under an energy assistance program. Was this included in the amount provided above?

b) Acceptable Forms of Verification

- (1) Income.
- (2) Rent. Verify the amount due to the family's landlord (or cooperative) under the lease or occupancy agreement.
 - (a) Contact the landlord (or cooperative) or its agent directly.
 - (b) Require the family to furnish copies of its most recent rental (or cooperative charges) receipts (which may include canceled checks or money order receipts) or a copy family's current lease or occupancy agreement
- (3) Utilities. Request the family to provide copies of the appropriate bills or receipts, or obtain the information directly from the utility or service supplier

T. Verification of *Handicap/Disability* Status

IMPORTANT: The verification should request the third party to identify any of the relevant definitions that apply to the individual. Any other request for information about the individual is not relevant (e.g., diagnosis; treatment plan)

YES
NO 1) A person having a physical or mental impairment that:

- a. Is expected to be a long-continued and indefinite duration;
- b. Substantially impedes the person's ability to live independently; and
- c. Is such that the person's ability to live independently could be improved by more suitable housing conditions.

YES
NO 2) A person with a physical impairment that:

- a. Is expected to be of long-continued and indefinite duration;
- b. Substantially impedes the person's ability to live independently
- c. Is such that the person's ability to live independently could be improved by more suitable housing conditions.

YES
NO 3) the person has a disability as defined in

Section 223 of the Social Security Act: An inability to engage in any substantial gainful activity because of any physical or mental impairment that is expected to result in death or has lasted or can be expected to last continuously for at least 12 months; or, for a blind person at least 55 years old, inability because of blindness to engage in any substantial gainful activities comparable to those in which the person was previously engaged with some regularity and over a substantial period.

NOTE: Receipt of veteran's disability benefits does not automatically qualify person as disabled, because the Veterans Administration and Social Security Administration define disabled differently. Applicants who meet Social Security's definition of disabled are considered disabled even if they do not receive Social Security benefits.

U. Citizen/Eligible Immigration Status

ALL members of household must sign a declaration stating whether they are:

- (i) *U.S. Citizen*
- (ii) *Eligible Non-Citizen*
- (iii) *Ineligible Non-Citizen*
- (iv) *Not Contending Eligibility*

Household members who claim eligible citizen status do not have to prove such status.

If any member of the household claims they are an **eligible non-citizen**, Occupancy Specialist must:

- (i) receive documentation to support such claim
- (ii) verify the claim with the U.S. *Immigration and Naturalization Service (INS)*

Acceptable forms of verification of *eligible immigration status* include:

Form I-551: Alien Registration Receipt Card (for permanent resident aliens). This form is sometimes called a resident alien card;

Form I-151: Alien Registration Receipt Card (for permanent resident aliens **issued prior to 1979**). **This form will no longer be valid after March 20, 1996**, and it isn't listed on the declaration form that household members must return to you. HUD instructions state this form is acceptable documentation while it is still valid. No follow up is required after the expiration date.

Form I-94: Arrival -Departure Record, marked with one of the following:

- : *Admitted as Refugee Pursuant to Section 207";*
- : *Section 208 or Asylum;*
- : *Section 243(h) or Deportation stayed by Attorney General, or*
- : *Paroled Pursuant to Sec.12(d)(5) of the INA.*

Form I-94: Arrival-Departure Record, with none of the above words marked on it but accompanied by one of the following documents:

- : A final court decision-granting asylum (with no appeal taken);

- : A letter from an INS asylum officer granting asylum (if the asylum application was filed on or after Oct. 1, 1990), or from an INS district director granting asylum (if the application was filed before Oct. 1, 1990);
- : A court decision granting withholding of deportation; or
- : A letter from an asylum officer granting withholding of deportation (if the application was filed on or after Oct-1, 1990).

Form I-688: *Temporary Resident Card*, which must be marked with the words *Section 245A or Section 210*;

Form I-688B: *Employment Authorization Card*, which must be marked with the words *Provision of Law 274a. 1 2(I 1) or Provision of Law 274a.12*;

A receipt issued by the INS indicating that an application for issuance of a replacement document in one of the above-listed categories has been made and the applicant's entitlement to the document has been verified.

- ! An original of the applicable INS document must be submitted to management for **each** household member claiming eligible non-citizen status to prove that they have such status.
- ! PHA/owner are to photocopy the original document and return it to household members.
- ! Housing Representative must also obtain a *signed verification consent form* that allows you to verify the claim of eligible *immigrant status* with the INS.

V. Required Warning Statement for Each Verification Form

Each verification form must include the following statement:

PENALTIES FOR MISUSING APPLICANT AND TENANT INFORMATION:

Title 18, Section 1001 of the U.S. Code states that a person is guilty of a felony for knowingly and willingly making false or fraudulent statements to any department of the United States Government. HUD, the PHA and any owner (or any employee of HUD, the PHA or the owner) may be subject to penalties for unauthorized disclosures or improper use of information collected from the applicant or tenant. Any person who knowingly or willfully requests, obtains or discloses any information under false pretenses concerning an applicant or tenant may be subject to a misdemeanor and fined not more than \$5,000. Any applicant or tenant affected by negligent disclosure of information may bring civil action for damages, and seek other relief, as may be appropriate, against the officer or employee of HUD, the PHA or the owner responsible for the unauthorized disclosure or improper use.

Exhibit 1: Rent Reasonableness Methodology

Exhibit 2: Repayment Policy and Procedures

Exhibit 3: Income Types Policy and Procedures

Municipality of Humacao Housing Agency

Procedures and Methods of Third Party Verification, the lower level verification method imposes a higher burden of compliance of verification to program staff.

Upfront Income Verification (UIV)	Highest level of verification preferred
Written 3 rd Party	High level of verification preferred
Oral 3 rd Party	Medium level of verification preferred
Document Review	Medium-Low level of verification preferred
Tenant Self Declaration	Low level of verification preferred (use as last resort only)

Income Type	Upfront	Written Third Party	Oral Third Party	Document Review	Tenant Declaration
	(Level 5)	(Level 4)	(Level 3)	(Level 2)	(Level 1)
Self-Employment	Not Available	The Agency mails or faxes a verification form directly to sources identified by the family to obtain income information.	The Agency will call the source to obtain income information.	The Agency will accept any documents(i.e. tax returns, invoices and letters from customers) provided by the tenant to verify self-employment income. Note: The Agency will document in the tenant file, the reason third party verification was not obtained.	The Agency will accept a notarized statement or affidavit from the tenant that declares the family's total annual income from self employment. Note: The PHA must document in the tenant file, the reason third party verification was not available.
Social Security Benefits	Use of HUD Tenant Assessment System (TASS) to obtain current benefit history and discrepancy reports.	The Agency mails or faxes a verification form directly to the local SSA office to obtain social security benefit information. (Not Available in some areas because SSA makes this data available through TASS. SSA encourages PHA's to use TASS.)	The Agency will call SSA, with the tenant on the line, to obtain current benefit amount. (Not Available in some areas because SSA makes this data	The Agency may accept an original SSA Notice from the tenant. Note: The Agency will document in the tenant file, the reason third party verification was not available.	The Agency will accept a notarized statement or affidavit from the tenant that declares monthly social security benefits. Note: The Agency will document in the tenant file, the reason third party verification was not available.

Welfare Benefits	Use of computer matching agreements with the local Social Services Agency to obtain current benefit amount electronically, by mail or fax or in person.	The Agency mails, faxes or e-mails a verification Form directly to the local Social Services Agency to obtain welfare benefit information.	<p>available through TASS. SSA encourages PHA's to use TASS.)</p> <p>The Agency will call the local Social Services Agency to obtain current benefit amount(s).</p>	<p>The Agency will review the original award notice or printout from the local Social Services Agency provided by the tenant.</p> <p>Note: The Agency will document in the tenant file, the reason third party verification was not available.</p>	<p>The Agency will accept a notarized statement or affidavit from the tenant that declares monthly welfare benefits.</p> <p>Note: The Agency will document in the tenant file, the reason third party verification was not available.</p>
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Verification of Employment Income: The Agency must obtain as much information as possible about the employment, to include but not limited to; start date (new employment), termination date (previous employment), pay frequency, pay rate, anticipated pay increases in the next twelve months, year-to-date earnings, bonuses, overtime, company name, address and telephone number, name and position of the person completing the employment verification form.

Effective Date of Employment: The Agency must always confirm start and termination dates of employment.

Income Type	Upfront	Written Third Party	Oral Third Party	Document Review	Tenant Declaration
	(Level 5)	(Level 4)	(Level 3)	(Level 2)	(Level 1)
Child Support	Use of agreement with the local Child Support Enforcement Agency to obtain current child support amount and payment status electronically, by mail or fax or in person.	The Agency mails, faxes or e-mails a verification Form directly to the local Child Support Enforcement Agency or child support payer to obtain current child support amount and payment status.	The Agency will call the local Child Support Enforcement Agency or child support payer to obtain current child support amount and payment status.	The Agency will review the original court order, notice or printout from the local Child Support Enforcement Agency provided by the tenant to verify current child support amount and payment status. Note: The Agency will document in the tenant file, the reason third party verification was not available.	The Agency will accept a notarized statement or affidavit from the tenant that declares current child support amount and payment status. Note: The Agency will document in the tenant file, the reason third party verification was not available.
Unemployment Benefits	Use of computer matching agreements with the State Wage Information Collection Agency to obtain unemployment compensation electronically or by mail or fax or in person. Use of HUD systems, when available.	The Agency mails, faxes, or e-mails a verification Form directly to the State Wage Information Collection Agency to obtain unemployment compensation information. The Agency mails, faxes, or e-mails a verification Form directly to the pension provider to obtain pension information.	The Agency will call the State Wage Information Collection Agency to obtain current benefit amount. The Agency will call the pension provider to obtain current benefit amount.	The Agency will review an original benefit notice or unemployment check stub, or printout from the local State Wage Information Collection Agency provided by the tenant. Note: The Agency will document in the tenant file, the reason third party verification was not available.	The Agency will accept a notarized statement or affidavit from the tenant that declares unemployment benefits. Note: The Agency will document in the tenant file, the reason third party verification was not available.
Pensions	Use of computer matching agreements with a Federal, State, or Local Government Agency to obtain pension information electronically, by mail or fax or in person.			The Agency will review an original benefit notice from the pension provider provided by the tenant. Note: The Agency will document in the tenant file, the reason third party verification was not available.	The Agency will accept a notarized statement or affidavit from the tenant that declares monthly pension amounts. Note: The Agency will document in the tenant file, the reason third party verification was not available.

Income Type	Upfront	Written Third Party	Oral Third Party	Document Review	Tenant Declaration
	(Level 5)	(Level 4)	(Level 3)	(Level 2)	(Level 1)
Assets	Use of cooperative agreements with sources to obtain asset and asset income information electronically, by mail or fax or in person.	The Agency mails, faxes, or emails a verification form directly to the source to obtain asset and asset income information.	The Agency will call the source to obtain asset and asset income information.	The Agency will review original documents provided by the tenant. Note: The Agency will document in the tenant file, the reason third party verification was not available.	The Agency will accept a notarized statement or affidavit from the tenant that declares assets and asset income. Note: The Agency will document in the tenant file, the reason third party verification was not available.
Comments	The Agency will make every available effort to secure wage, unemployment, and SSA information, the PHA should use the information as part of the reexamination process.	When the independent source completes the verification form(s) and returns the form(s) directly to the Agency. The tenant will not hand carry documents to or from the independent source.	The Agency will document in the tenant file, the date and time of the telephone call or in person visit, along with the name and title of the person that verified the current income amount.		The Agency will use this verification method as a last resort, when all other verification methods are not possible or have been unsuccessful. Notarized statement will include a perjury penalty statement.



MUNICIPALITY OF HUMACAO, PUERTO RICO

SINGLE AUDIT REPORT

FISCAL YEAR ENDED JUNE 30, 2007



MUNICIPALITY OF HUMACAO, PUERTO RICO

SINGLE AUDIT REPORT

FISCAL YEAR ENDED JUNE 30, 2007

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MUNICIPALITY OF HUMACAO, PUERTO RICO

FINANCIAL SECTION

YEAR ENDED JUNE 30, 2007

INDEPENDENT AUDITOR'S REPORT

Honorable Mayor and Members of the
Municipal Assembly
Municipality of Humacao, Puerto Rico

We have audited the accompanying financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of Municipality of Humacao, Puerto Rico, as of and for the year ended June 30, 2007, which collectively comprise the Municipality of Humacao, Puerto Rico's basic financial statements as listed in the table of contents. These financial statements are the responsibility of Municipality of Humacao, Puerto Rico's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Governmental Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinions.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, each major fund, and the aggregate remaining fund information of the Municipality of Humacao, Puerto Rico, as of June 30, 2007, and the respective changes in financial position for the year then ended in conformity with accounting principles generally accepted in the United States of America.

In accordance with *Government Auditing Standards*, we have also issued our report dated December 13, 2007, on our consideration of the Municipality of Humacao, Puerto Rico's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grants. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be read in conjunction with this report in considering the results of our audit.

The management's discussion and analysis and budgetary comparison information on pages 3 through 14 and 40 through 41, are not a required part of the basic financial statements but are supplementary information required by accounting principles generally accepted in the United States of America. We have applied certain limited procedures, which consisted principally of inquiries of management regarding the methods of measurement and presentation of the supplementary information. However, we did not audit the information and express no opinion on it.

INDEPENDENT AUDITOR'S REPORT

(CONTINUED)

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the Municipality of Humacao, Puerto Rico basic financial statements. The accompanying schedule of expenditures of federal awards is presented for purposes of additional analysis as required by U.S. Office of Management and Budget Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*, and is not a required part of the basic financial statements of Municipality of Humacao, Puerto Rico. The schedule of expenditures of federal awards have been subjected to the auditing procedures applied in the audit of the basic financial statements and, in our opinion, are fairly stated in all material respects in relation to the basic financial statements taken as a whole.

ROMAN TORO & CO., CSP
LICENSE #35 – IN FORCE

Yauco, Puerto Rico
December 13, 2007

Stamp #2263777 was affixed to
the original of this report

MANAGEMENT DISCUSSION AND ANALYSIS

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF HUMACAO, PUERTO RICO
MANAGEMENT'S DISCUSSION AND ANALYSIS
FOR THE FISCAL YEAR ENDED JUNE 30, 2007

The following discussion and analysis of the Municipality of Humacao's financial performance provides an overview of the Municipality's financial activities for the fiscal year ended June 30, 2007. Please read it in conjunction with the financial statements which follow this section.

FINANCIAL HIGHLIGHTS

Highlights for Government -wide Financial Statements

The government -wide financial statements report information about the Municipality as a whole using the economic resources measurement focus and accrual basis of accounting:

- The assets of the Municipality, on a government -wide basis, exceeded its liabilities at the close of fiscal year 2006 by \$83,495,435 and 2007 by \$91,546,242 (net assets).
- Revenues increased by \$124,426 (.2%) and expenses increased \$2,538,292 (5%) in comparison with year 2006, as restated.
- Net change in net assets amounted to \$8,050,807, a decrease of 23% with respect to prior year (2006) net change.

Highlights for Fund Financial Statements

The fund financial statements provide detailed information about the Municipality's most significant funds using the current financial resources measurement focus and modified accrual basis of accounting:

- At the close of the current fiscal year, the Municipality's governmental funds reported combined ending fund balances of \$55,163,849, an increase of \$23,149,527 in comparison with the prior year.
- The General Fund reported an excess of revenues over expenditures of \$2,305,840 and Transfer to Capital Projects the amount of \$3,290,829. Also, \$1,447,764 was transfer to Debt Service Fund to cover the principal and interests of operating notes. General Fund reported unreserved fund balance of \$9,288,220, an increased of \$2,209,595 from prior year.

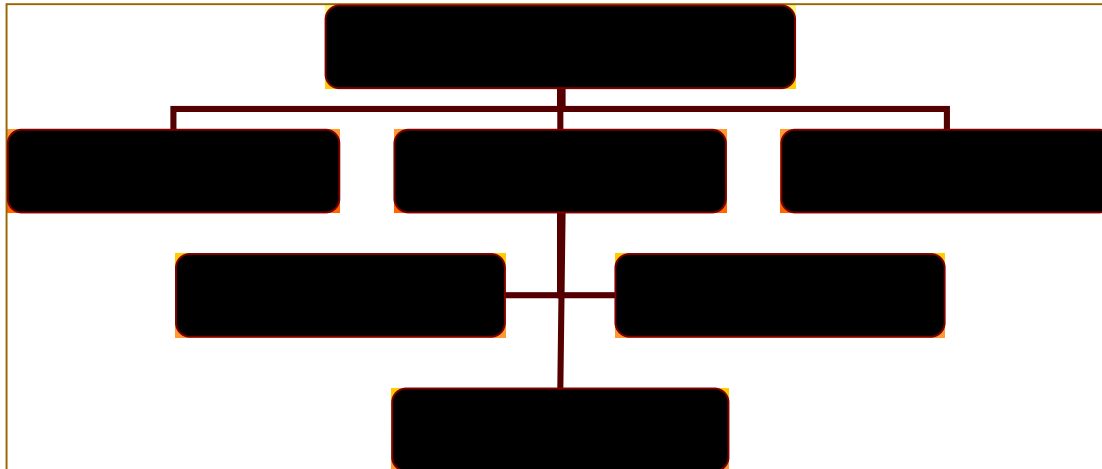
General Financial Highlights

- The investment in net capital assets as of June 30, 2007 was \$62,588,942 (net of related debt).
- Long-Term General and Special Obligations increased to \$44,265,237 approximately 87% with respect to prior year balance, by the issuances of two (2) bonds in the amount of \$21,240,000 for the construction of a Coliseum and an Art Center Buildings.
- Other long-term debts increases and net reductions from payments amounted to \$1,326,841 and \$1,111,593, respectively.
- On a budgetary basis, actual revenues exceeded actual expenditures by \$2,384,807, net of \$4,620,043 designated general fund for future expenditures (transfers out to capital project fund and debt service fund).
- Revenues increase (\$5,650,238) was mainly due to \$4,354,861 of new enacted Sales Taxes, and 1,721,088 of intergovernmental revenues. Expenditures were less than estimated by \$27,918, but transfer out to capital project creates the negative variance.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF HUMACAO, PUERTO RICO
MANAGEMENT'S DISCUSSION AND ANALYSIS
FOR THE FISCAL YEAR ENDED JUNE 30, 2007

OVERVIEW OF THE FINANCIAL STATEMENTS

The Municipality's basic financial statements comprise three components: (1) management discussion and analysis (presented here), (2) basic financial statements, and (3) required supplementary information.



The Municipality's basic financial statements consist of two kinds of statements, each with a different view of the Municipality's finances. The government-wide financial statements provide both long-term and short-term information about the Municipality's overall financial status. The fund financial statements focus on major aspects of the Municipality's operations, reporting those operations in more detail than the government-wide statements:

Basic Financial Statements

- *Government -Wide Financial Statements*

The government-wide statements report information about the Municipality as a whole using accounting methods similar to those used by private-sector businesses. They are prepared using the flow of economic resources measurement focus and the accrual basis of accounting. The first government-wide statement – the *Statement of Net Assets* – presents information on all of the Municipality's assets and liabilities, with the difference between the two reported as net assets. Over time, increases or decreases in the Municipality's net assets are an indicator of whether its financial health is improving or deteriorating. Other non-financial factors such as the condition of the Municipality's roads and other infrastructure may need to be considered to assess the overall health of the Municipality. The second statement – the *Statement of Activities* – presents information showing how the net assets changed during the year. All of the current year's revenues and expenses are taken into account in the statement of activities regardless of when cash is received or paid.

The government-wide statements reports as governmental activities the Municipality's basic services such as public safety, public works, health and sanitation, culture and recreation, solid waste disposal, human services and welfare, and community development; education and general administration. These activities are primarily financed through property taxes, other local taxes and intergovernmental revenues. Included in the governmental activities are the governmental funds.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF HUMACAO, PUERTO RICO
MANAGEMENT'S DISCUSSION AND ANALYSIS
FOR THE FISCAL YEAR ENDED JUNE 30, 2007

- *Fund Financial Statements*

The fund financial statements provide more detailed information about the Municipality's most significant funds. Funds are accounting devices that the Municipality uses to keep track of specific sources of funding and spending for particular purposes. Some funds are required by Federal and Commonwealth regulations, as well by bond covenants.

The Municipality's basic services are included in governmental funds, which are used to account for essentially the same functions reported as governmental activities in the government-wide statements. However, unlike the government-wide statements, the governmental funds are prepared using the flow of current financial resources measurement focus and the modified accrual basis of accounting. Under this approach the financial statements focus on near-term inflows and outflows of external resources, as well on balances of expendable resources available at year end. Consequently, the governmental fund statements provide a detailed short-term view that helps the reader determine whether there are more or fewer financial resources that can be spent in the near future to finance the Municipality's programs. Because this information does not encompass the additional long-term focus of the government-wide statements, additional information is provided on a subsequent page that explains the relationship (or differences) between the government-wide and fund statements.

The governmental fund statements focus on major funds. The Municipality's major funds are the general fund (which accounts for the main operating activities of the Municipality) and funds that complies with a minimum criterion (percentage of the assets, liabilities, revenues or expenditures). Funds that do not comply with this criterion are grouped and presented in a single column as other governmental funds.

- *Notes to the financial statements*

Provides integral information needed to explain the basis for the numbers used within the Basic Financial Statements and provide more detailed data.

Required supplementary information

Provides additional information to better understand the financial position of the Municipality and contains the Budgetary Comparison Schedule for the General Fund.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF HUMACAO, PUERTO RICO
MANAGEMENT'S DISCUSSION AND ANALYSIS
FOR THE FISCAL YEAR ENDED JUNE 30, 2007

FINANCIAL ANALYSIS OF THE MUNICIPALITY AS A WHOLE

Net Assets

The following table presents a summary of the Statements of Net Assets as of June 30, 2007 and 2006:

Table 1		
Statement of Net Assets		
As of June 30,		
	2007	2006
Current and non-current assets	\$ 84,496,914	\$ 55,336,467
Capital assets (As Restated)	<u>76,098,572</u>	<u>72,950,364</u>
Total Assets	<u>160,595,486</u>	<u>128,286,831</u>
Current liabilities	3,394,211	3,431,674
Deferred revenues	13,531,497	9,368,740
Long-term liabilities	<u>52,093,536</u>	<u>31,990,982</u>
Total Liabilities	<u>69,019,244</u>	<u>44,791,396</u>
Net Assets:		
Investment in capital assets, Net of		
Related Debt (As Restated)	62,588,942	60,369,431
Restricted	23,367,285	19,074,200
Unrestricted (As Restated)	<u>5,590,015</u>	<u>4,051,804</u>
Total Net Assets	<u>\$ 91,546,242</u>	<u>\$ 83,495,435</u>

Net assets (assets over liabilities) may serve over time as a useful indicator of a government's financial position. Net assets for the year increased 10% with respect to prior year as restated.

The largest portion of the Municipality's net assets reflects its investment in capital assets (e.g., land, buildings, equipment, and infrastructure) for \$62,588,942; total capital assets (\$102,869,843) less accumulated depreciation (\$26,771,271) and less any related outstanding debt (\$13,509,630) used to acquire those assets. The Municipality uses these assets to provide services to its citizens and consequently, these assets are not available for future spending. The

resources needed to repay the debt related to these capital assets must be provided from other sources, because capital assets are not generally liquidated for the purpose of retiring debt.

Restricted net assets represent resources that are subject to external restrictions on how they may be used.

Unrestricted net assets are the part of the net assets that can be used to finance day-to-day operations without constraints established by debt covenants, enabling legislation or other legal requirements.

As of June 30, 2007 the Municipality presented unrestricted net assets of \$5,590,015. This balance was affected by long term obligations such as compensated absences \$4,689,442 and other debts for the amount of \$2,912,203 for which the Municipality did not provide funding in previous budgets. Historically, such obligations have been budgeted on a pay as you go basis without providing funding for their future liquidation.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF HUMACAO, PUERTO RICO
MANAGEMENT'S DISCUSSION AND ANALYSIS
FOR THE FISCAL YEAR ENDED JUNE 30, 2007

Changes in net assets

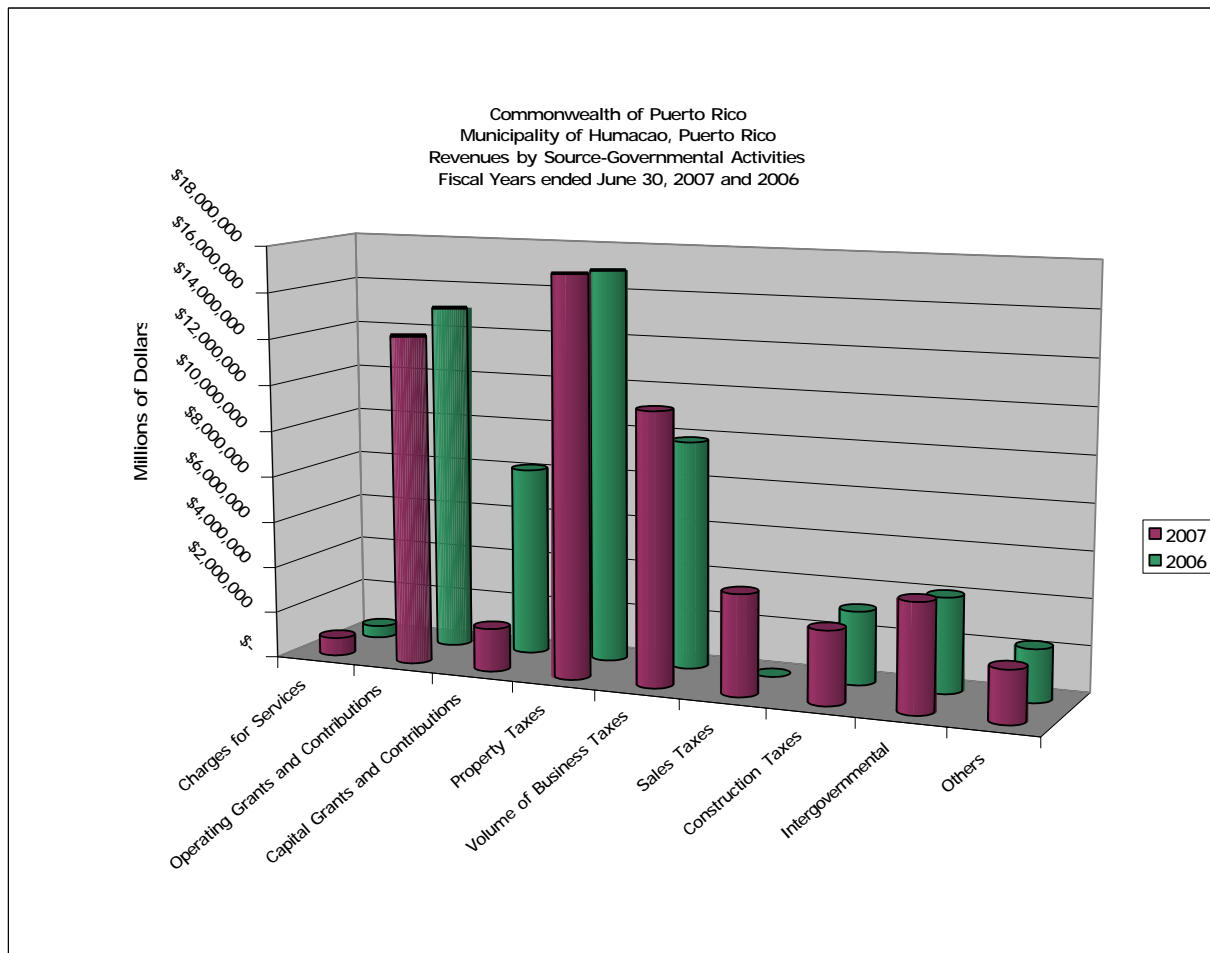
The following table summarizes the changes in net assets for the years ended June 30, 2007 and 2006:

Table 2		
Changes in Net Assets For Fiscal Years Ending June 30,		
	2007	2006
Revenues:		
Program Revenues:		
Charges for Services	\$ 781,144	\$ 518,383
Operating Grants and Contributions	14,226,041	15,049,484
Capital Grants and Contributions	1,866,680	8,169,178
General Revenues:		
Property Taxes	17,172,409	16,982,541
Volume of Business Taxes	11,718,520	9,867,284
Sales Taxes	4,354,861	-
Construction Taxes	3,168,514	3,172,352
Intergovernmental	4,685,973	4,095,065
Other General Revenues	<u>2,272,585</u>	<u>2,268,014</u>
Total revenues	<u>60,246,727</u>	<u>60,122,301</u>
Expenses:		
General Administration	20,197,780	18,697,659
Public Safety	2,663,796	2,569,187
Public Works	3,538,710	4,124,978
Culture and Recreation	1,945,079	1,886,960
Health and Sanitation	1,888,692	1,918,451
Solid Waste Disposal	2,886,482	2,875,821
Human Services and Welfare	6,422,210	6,699,966
Urban Development	1,885,462	647,472
Education	9,019,632	8,798,200
Interest Costs	<u>1,748,077</u>	<u>1,438,934</u>
Total expenses.....	<u>52,195,920</u>	<u>49,657,628</u>
Changes in net assets	8,050,807	10,464,673
Net assets – beginning, as Restated*	<u>83,495,435</u>	<u>73,030,762</u>
Net assets – ending	<u>\$ 91,546,242</u>	<u>\$ 83,495,435</u>
Prior Period Adjustment to capital assets is (\$617,600), and (\$73,464) for revenues.		

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF HUMACAO, PUERTO RICO
MANAGEMENT'S DISCUSSION AND ANALYSIS
FOR THE FISCAL YEAR ENDED JUNE 30, 2007

Figure 1 presents revenues comparison by sources of the governmental activities during the past two years:

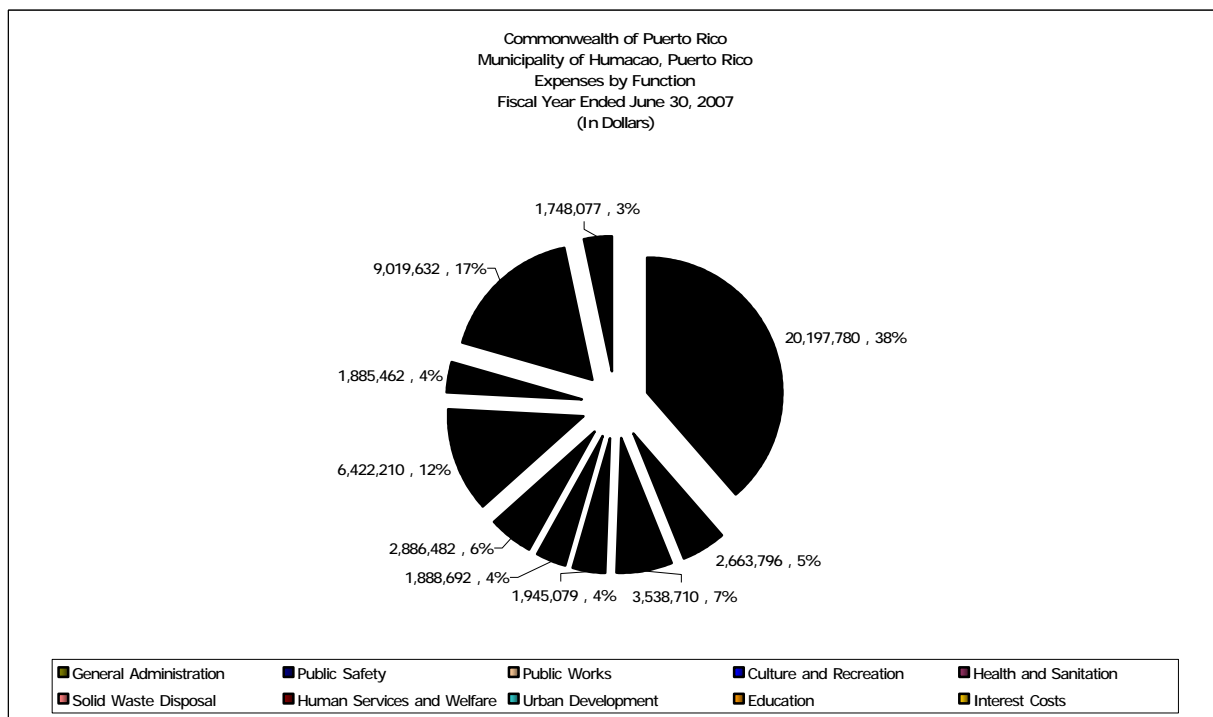
FIGURE 1



COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF HUMACAO, PUERTO RICO
MANAGEMENT'S DISCUSSION AND ANALYSIS
FOR THE FISCAL YEAR ENDED JUNE 30, 2007

Figure 2 presents expenses by function of the governmental activities during the fiscal year 2006-2007:

FIGURE 2



COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF HUMACAO, PUERTO RICO
MANAGEMENT'S DISCUSSION AND ANALYSIS
FOR THE FISCAL YEAR ENDED JUNE 30, 2007

Approximately 27% of the Municipality's revenues came from grants and contributions, 29% from property taxes, volume of business taxes 19% and 25% from other sources. The Municipality's expenses cover a range of services. The largest expenses are general administration with 38.7%, solid waste disposal with 17.3%, urban development with 12.3%, and public works with 6.8%. Program revenues of the Municipality covered 32% of total expenses.

With respect to prior year, revenues increased only by approximately \$124,426 or 0.2%. However, this amount is the result of an increase in recurrent tax revenues, including \$1,851,236 or 19% increase in Volume of Business Taxes and a new Sales and Use Tax generating \$4.35 million in its first year. This significant increase in recurrent revenues offsets a \$7.7 million nonrecurrent capital contribution received in 2006.

Expenses increased 5% or \$2,538,292 in comparison with 2006 year, principally in general administration and urban development.

The following table focuses on the cost of each of the Municipality's largest functions/programs as well as each functions/pr ogram's net cost (total cost less fees generated by the programs and program-specific intergovernmental aid):

TABLE 3

Net Cost of Municipality's Governmental Activities				
Fiscal years ended June 30,				
Functions/Programs	Total Cost of Services		Net Cost of Services	
	2007	2006	2007	2006
General Administration	\$ 20,197,780	\$ 18,697,659	\$ 19,416,978	\$ 17,452,674
Public Safety	2,663,796	2,569,187	2,011,975	1,564,387
Public Works	3,538,710	4,124,978	2,522,999	3,035,275
Solid Waste Disposal	2,886,482	2,875,821	2,886,482	2,875,821
Human Services and Welfare	6,422,210	6,699,966	3,582,326	2,385,768
Urban Development	1,885,462	647,472	18,782	(7,125,108)
Education	9,019,632	8,798,200	132,422	1,107,930
Others	5,581,848	5,244,345	4,750,091	4,697,300
TOTAL	<u>\$ 52,195,920</u>	<u>\$ 49,657,628</u>	<u>\$ 35,322,055</u>	<u>\$ 25,994,047</u>

Some of the cost of governmental activities in 2007 was paid by those who directly benefited from the programs (\$781,144) and other governments and organizations that subsidized certain programs with grants and contributions (\$16,092,721). The \$35,322,055 net cost of services was substantially covered by other general revenues including property, volume of business license taxes, sales taxes and intergovernmental.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF HUMACAO, PUERTO RICO

MANAGEMENT'S DISCUSSION AND ANALYSIS

FOR THE FISCAL YEAR ENDED JUNE 30, 2007

FINANCIAL ANALYSIS OF THE MUNICIPALITY'S FUNDS

Governmental funds

The focus of the Municipality's governmental funds is to provide information on near-term inflows, outflows and balances of resources available for spending. Such information is useful in assessing the Municipality's financing requirements. In particular, unreserved fund balance may serve as a useful measure of a Municipality's net resources available at the end of a fiscal year. For the Fiscal year ended June 30, 2007, the governmental funds reported combined ending fund balances of \$55,163,849, a net increase of \$23,149,527 in comparison with the prior year. This increase was caused primarily by a net change in some non-major funds corresponding to issuance of notes \$21.4 million. Of total combined fund balances, \$9,288,220 (17%) constitutes unreserved fund balance of general fund. The remainder of fund balance is reserved to indicate that is not available for new spending.

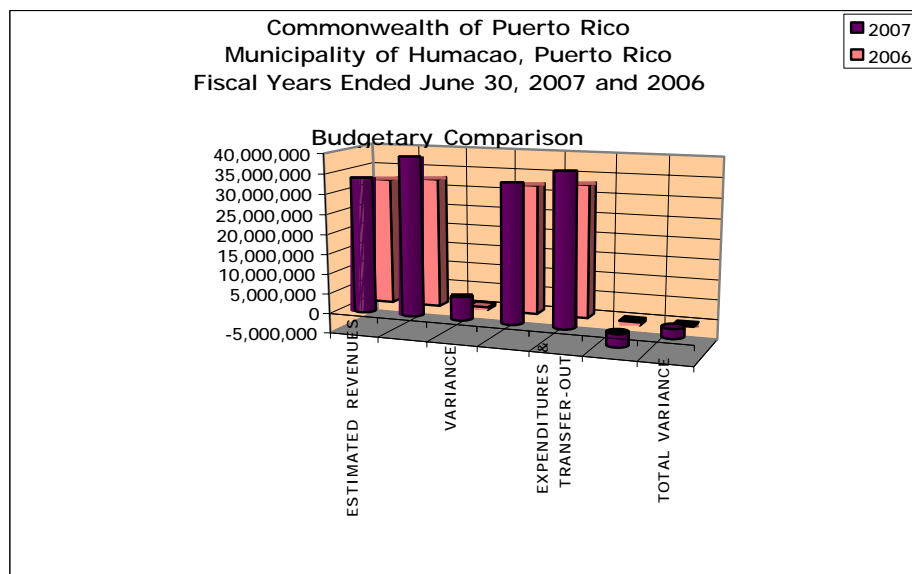
The general fund is the operating fund of the Municipality. Unreserved fund balance of the general fund represents approximately 93.4% of total ending general fund balance. For the year ended June 30, 2007, the fund balance of the general fund increased by \$2,305,840 when compared with the prior year. The net increase is due to excess of revenues over expenditures, principally by the new enacted sales taxes that provide \$4.7 million of revenues.

GENERAL FUND BUDGETARY HIGHLIGHTS

The general fund original budget for the fiscal period 2006-2007 presented an increase of 5.3% with respect to prior year budget. During the fiscal year budget revenues were increased by \$5,650,238 mainly due to excess in intergovernmental and investment, and the new enacted sales taxes, but the Municipality does not included as an amendment to the original budget. Budget expenditures were amended during the year in accordance with functions estimates. Nevertheless, non budgeted transfers to non-major funds were used to pass economies in appropriations to specific capital projects of \$3.3 millions.

A positive variance of \$2,384,807 between revised budget and actual expenditures was due mainly to additional revenues as explain in the preceding paragraph and economies in some functions, but the transfer out to capital project fund of \$3,290,000 reduce the variance. The Municipality reported less expenditure than appropriations in those functions on payments for purchase of supplies, equipment, and professional and nonprofessional services.

FIGURE 3



COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF HUMACAO, PUERTO RICO
MANAGEMENT'S DISCUSSION AND ANALYSIS
FOR THE FISCAL YEAR ENDED JUNE 30, 2007

CAPITAL ASSET AND DEBT ADMINISTRATION

Capital assets

At the end of the fiscal year, the Municipality has invested \$73,567,964 (net of accumulated depreciation) in a broad range of capital assets, including buildings, parks, roads, bridges, land and equipment. This amount represents a net increase of \$6,445,779 or over 10% from the prior year, as restated.

TABLE 4

Capital Assets, net As of June 30,		
	Governmental Activities	
	2007	(As restated) 2006
Non-depreciable assets:		
Land	\$ 7,418,626	\$ 6,793,090
Construction in progress	18,559,112	14,911,689
Depreciable assets:		
Buildings	35,234,094	36,126,536
Infrastructure	11,791,894	12,058,082
Motor Vehicles	1,352,607	1,597,299
Equipment	1,435,461	1,020,737
Capital Lease	306,778	442,931
Total	<u>\$ 76,098,572</u>	<u>\$ 72,950,364</u>

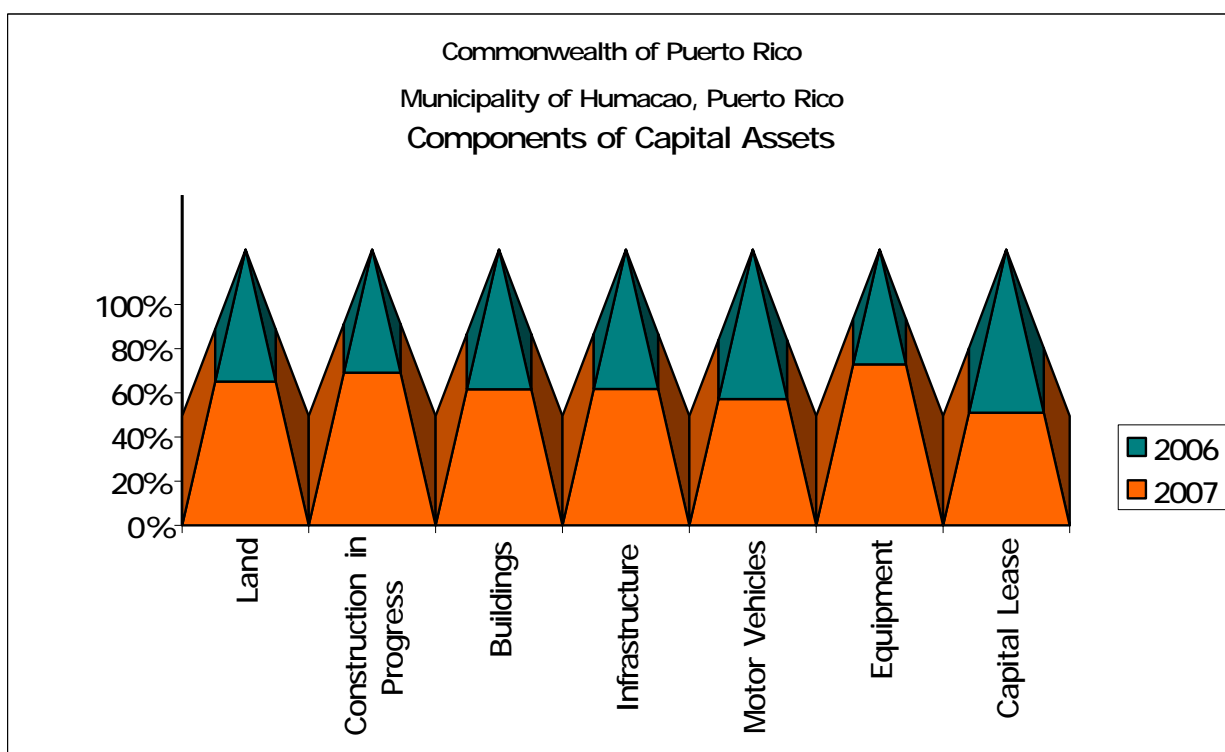
The Municipality invested a total of \$5,426,800 in capital assets during the fiscal year 2006-2007. Principal addition is as follows:

- Construction in Progress – \$3,647,423 – The principal projects are the following:
 - Design of Exclusive Auto Line (\$862,655)
 - Municipal Coliseum (\$374,027)
 - Casona Artistic Center (\$850,813)
 - Emilio Huyke Sport Center (\$705,801)
- Acquisition of Motor Vehicles – \$327,581
- Acquisition of Equipment – \$792,558

Other projects related to repair and maintenance of roads (not capitalized) was developed during the year 2007.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF HUMACAO, PUERTO RICO
MANAGEMENT'S DISCUSSION AND ANALYSIS
FOR THE FISCAL YEAR ENDED JUNE 30, 2007

FIGURE 4



Long term debt

At year-end, the Municipality had \$44,491,888 in general and special bonds and notes, a net increase of 77.3% with respect to prior year, due to new general obligations bonds of \$21,422,028. The following is a summary of the Municipality's outstanding debt as of June 30, 2007 and 2006:

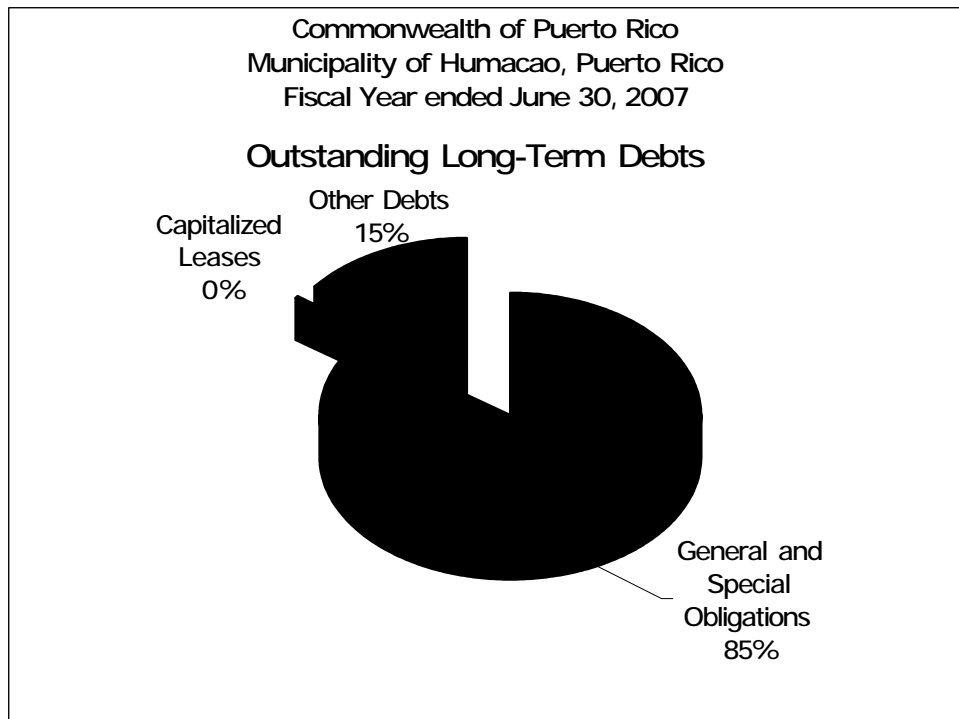
TABLE 5

Outstanding Long-term Debts As of June 30,		
	Governmental Activities	
	2007	2006
General and Special Obligation Bonds and Notes	\$ 44,265,237	\$ 24,761,625
Capitalized Leases	226,651	344,689
Others Debts	7,601,645	7,386,397
Total	<u>\$ 52,093,533</u>	<u>\$ 32,492,711</u>

The increase in the others debts is due to recognition of claims and judgments, and increase in compensated absences. More detailed information about the Municipality's long term liabilities is presented in Note 8 and 9 to the financial statements.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF HUMACAO, PUERTO RICO
MANAGEMENT'S DISCUSSION AND ANALYSIS
FOR THE FISCAL YEAR ENDED JUNE 30, 2007

FIGURE 5



ECONOMIC FACTORS AND NEXT YEAR'S BUDGET

The Municipality's selected and appointed officials considered many factors when setting the fiscal year 2006-2007 budget. One of these factors is the economy. Among economic areas considered are the population growth estimates, personal income, housing statistics and unemployment rates. The Municipality's unemployment rate now stands at 13.6%, which compares with the Commonwealth rate of 12.1%.

The Municipality applied a conservative approach in development budget estimates. Amounts available for appropriations in the General Fund for the fiscal year 2007 are \$37.5 million, approximately \$5.5 million more than the fiscal year 2006. The Municipality expects an increase in revenues for the next years due to a new sales tax enacted by state legislature and Municipality ordinance during fiscal year 2006-2007. Also, revenues increases from other sources are demonstrative of the economic development from new commerce and stability of the manufacturing industry. Budgeted expenditures are expected to stabilize accordingly to the projected revenues. Among planned projects, this budget may be adjusted in accordance with economic injection projected when the construction project promoted by the Municipality and others private projects were develop during the year.

CONTACTING THE MUNICIPALITY'S FINANCIAL MANAGEMENT

This financial report is designed to provide our citizens, taxpayers, and creditors with a general overview of the Municipality's finances and to demonstrate the Municipality's accountability for the money it receives. If you have questions about this report or need additional information, contact the Municipality's Finance Department at [(787) 852-2730] or P.O. Box 178, Humacao, Puerto Rico 00792.

BASIC FINANCIAL STATEMENTS

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF HUMACAO, PUERTO RICO

STATEMENT OF NET ASSETS

JUNE 30, 2007

	GOVERNMENTAL ACTIVITIES
ASSETS:	
Cash and Investments (Note 2).....	\$ 35,080,090
Cash with Fiscal Agent	38,323,556
Receivables (net):	
Property Taxes	38,707
Federal Grants	9,779,179
Others (Note 5)	1,020,430
Deferred Charges	224,952
Capital Assets (Note 6):	
Land, Improvements, and Construction in Progress	25,977,738
Other Capital Assets, [Net of Depreciation]	<u>50,120,834</u>
TOTAL ASSETS	<u>160,565,486</u>
LIABILITIES:	
Accounts Payable and Accrued Expenses	2,464,857
Accrued Interest	929,354
Deferred Revenues	13,531,497
Long-Term Liabilities (Note 9):	
Due within One Year	6,260,879
Due in More than One Year	<u>45,832,657</u>
TOTAL LIABILITIES	<u>69,019,244</u>
NET ASSETS	
Invested in Capital Assets, Net of Related Debt	62,686,902
Restricted for:	
Capital Projects	46,673
Head Start	4,316,192
Debt Service	9,404,827
Community Development Projects	175,742
Other Purposes	9,325,891
Unrestricted (Deficit)	<u>5,590,015</u>
TOTAL NET ASSETS	<u>\$ 91,546,242</u>

See accompanying Notes to Basic Financial Statements.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF HUMACAO, PUERTO RICO

STATEMENT OF ACTIVITIES

FOR THE FISCAL YEAR ENDED JUNE 30, 2007

FUNCTIONS/PROGRAMS	EXPENSES	PROGRAM REVENUES			NET (EXPENSE) REVENUE (SEE NEXT PAGE)
		CHARGES FOR SERVICES	OPERATING GRANTS AND CONTRIBUTIONS	CAPITAL GRANTS AND CONTRIBUTIONS	
Governmental Activities:					
Mayor and Municipal Legislature	\$ 2,314,951	\$ -	\$ -	\$ -	(\$ 2,314,951)
General Government	17,882,829	-	780,802	-	(17,102,027)
Public Safety	2,663,796	-	651,821	-	(2,011,975)
Public Works	3,538,710	-	1,015,711	-	(2,522,999)
Culture and Recreation	1,945,079	-	50,613	-	(1,894,466)
Health and Sanitation	1,888,692	781,144	-	-	(1,107,548)
Public Instruction	9,019,632	-	8,887,210	-	(132,422)
Solid Waste Disposal	2,886,482	-	-	-	(2,886,482)
Human Services and Welfare	6,422,210	-	2,839,884	-	(3,582,326)
Urban Development	1,885,462	-	-	1,866,680	(18,782)
Interest on Long-Term Debt	<u>1,748,077</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>(1,748,077)</u>
Total Governmental Activities	<u>\$ 52,195,920</u>	<u>\$ 781,144</u>	<u>\$ 14,226,041</u>	<u>\$ 1,866,680</u>	<u>(\$ 35,322,055)</u>
General Revenues:					
Taxes:					
Property Taxes, levied for General Purposes					12,325,421
Property Taxes, levied for Debt Service					4,846,988
Volume of Business Taxes					11,718,520
Sales Taxes					4,354,861
Construction Taxes					3,168,514
Intergovernmental					4,685,973
Rent					68,010
Miscellaneous					463,273
Interest					<u>1,741,302</u>
Total General Revenues and Transfers					<u>43,372,862</u>
CHANGE IN NET ASSETS					8,050,807
Net Assets – Beginning of Year					<u>83,495,435</u>
NET ASSETS – ENDING OF YEAR					<u>\$ 91,546,242</u>

See accompanying Notes to Basic Financial Statements.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF HUMACAO, PUERTO RICO

BALANCE SHEET – GOVERNMENTAL FUNDS
JUNE 30, 2007

	GENERAL	HEAD START	DEBT SERVICE	COLISEO USOS MULTIPLES	CENTRO BELLAS ARTES FASE II	OTHER GOVERNMENTAL FUNDS	TOTAL GOVERNMENTAL FUNDS
ASSETS							
Cash and Investments (Note 1)	\$23,015,042	\$ 134,365	\$ -	\$ -	\$ -	\$11,930,683	\$35,080,090
Cash with Fiscal Agents	5,500	-	10,404,753	10,268,718	10,654,793	6,989,792	38,323,556
Receivables:							
Property Taxes	-	-	38,707	-	-	-	38,707
Federal Grant	-	4,583,530	-	-	-	5,195,649	9,779,179
Due from Other Funds	959,569	-	-	-	-	87,210	1,046,779
Due from Governments	-	-	-	-	-	125,000	125,000
Others	<u>544,358</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>351,072</u>	<u>895,430</u>
TOTAL ASSETS	<u>\$24,524,469</u>	<u>\$ 4,717,895</u>	<u>\$ 10,443,460</u>	<u>\$ 10,268,718</u>	<u>\$10,654,793</u>	<u>\$24,679,406</u>	<u>\$85,288,741</u>

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF HUMACAO, PUERTO RICO

BALANCE SHEET – GOVERNMENTAL FUNDS, Continued
JUNE 30, 2007

	GENERAL	HEAD START	DEBT SERVICE	COLISEO USOS MULTIPLES	CENTRO BELLAS ARTES FASE II	OTHER GOVERNMENTAL FUNDS	TOTAL GOVERNMENTAL FUNDS
LIABILITIES AND FUND BALANCES							
Liabilities:							
Account Payable	\$ 1,343,970	\$ 10,779	\$ -	\$ 8,252	\$ -	\$ 871,359	2,234,360
Bonds and Notes Payable	-	-	1,955,000	-	-	-	1,955,000
Accrued Interest	-	-	929,354	-	-	-	929,354
Due to Governmental Units	60,712	-	-	-	-	136,887	197,599
Due to Other Funds	-	87,210	109,279	-	-	850,290	1,046,779
Deferred Revenues:							
Volume of Business Tax	13,180,425	-	-	-	-	-	13,180,425
Federal Grants	-	4,583,530	-	-	-	5,997,845	10,581,375
Total Liabilities	<u>14,585,107</u>	<u>4,681,519</u>	<u>2,993,633</u>	<u>8,252</u>	<u>-</u>	<u>7,856,381</u>	<u>30,124,892</u>
Fund Balance (Deficit):							
Reserve For:							
Encumbrances	\$ 645,642	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 645,642
Debt Service	-	-	7,449,827	-	-	-	7,449,827
Special Revenues	5,500	-	-	-	-	-	5,500
Other Purposes	-	36,376	-	-	-	-	36,376
Unreserved (Deficit)	<u>9,288,220</u>	<u>-</u>	<u>-</u>	<u>10,260,466</u>	<u>10,654,793</u>	<u>16,823,025</u>	<u>47,026,504</u>
Total Fund Balances	<u>9,939,362</u>	<u>36,376</u>	<u>7,449,827</u>	<u>10,260,466</u>	<u>10,654,793</u>	<u>16,823,025</u>	<u>55,163,849</u>
TOTAL LIABILITIES AND FUND BALANCES	<u>\$24,524,469</u>	<u>\$4,717,895</u>	<u>\$10,443,460</u>	<u>\$10,268,718</u>	<u>\$10,654,793</u>	<u>\$24,679,406</u>	<u>\$85,288,741</u>

See accompanying Notes to Basic Financial Statements.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF HUMACAO, PUERTO RICO

RECONCILIATION OF THE GOVERNMENTAL FUNDS BALANCE SHEET
TO THE STATEMENT OF NET ASSETS

JUNE 30, 2007

Total Fund Balances – Governmental Funds (Page 18)..... \$ 55,163,849

Amounts reported for Governmental Activities in the Statement of Net Assets (Page 15)
are different because:

Capital Assets used in governmental activities are not financial resources and therefore are
not reported in the funds. In the current period, these amounts are:

Non Depreciable Capital Assets	\$ 25,977,738	
Depreciable Capital Assets	60,506,989	
Infrastructure Assets	16,385,116	
Accumulated Depreciation	<u>(26,771,271)</u>	
Total Capital Assets		76,098,572

Other Assets used in governmental activities are not financial resources and therefore are not
reported in the funds:

Deferred Charges		224,952
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Some of the Municipality's revenues will be collected after year-end but are not available
soon enough to pay for the current period's expenditures and therefore are deferred in
the funds:

CDBG	2,359,729	
Head Start	4,583,530	
Early Head Start	1,368,470	
Other Major Fund	<u>1,918,574</u>	
Total Deferred Revenues		10,230,303

Some liabilities are not due and payable in the current period and therefore are not reported
in the funds. Those liabilities consist of:

General Bonds and Special Bonds	(42,310,237)	
Note Payable	(958,217)	
Capital Lease	(226,651)	
Law 146	(730,449)	
Claim and Judgment	(478,000)	
Compensated Absences	(4,689,442)	
Section 8 Long-Term Debts	(32,901)	
Unemployment	(282,530)	
Property Tax Advances	<u>(463,007)</u>	
Total Long-Term Liabilities		<u>(50,171,434)</u>

Total Net Assets of Governmental Activities (Page 15) \$ 91,546,242

See accompanying Notes to Basic Financial Statements.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF HUMACAO, PUERTO RICO

STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE –GOVERNMENTAL FUNDS
FOR THE FISCAL YEAR ENDED JUNE 30, 2007

	GENERAL	HEAD START	DEBT SERVICE	COLISEO USOS MULTIPLES	CENTRO BELLAS ARTES FASE II	OTHER GOVERNMENTAL FUNDS	TOTAL GOVERNMENTAL FUNDS
REVENUES							
Property Taxes	\$12,325,421	\$ -	\$4,846,988	\$ -	\$ -	\$ -	\$17,172,409
Volume of Business Taxes	11,718,520	-	-	-	-	-	11,718,520
Federal Assistance	-	5,754,433	-	-	-	7,097,395	12,851,828
Intergovernmental	4,685,973	-	-	-	-	2,064,691	6,750,664
Licenses and Permits	3,168,514	-	-	-	-	-	3,168,514
Sales Taxes	4,354,861	-	-	-	-	-	4,354,861
Rent	68,010	-	-	-	-	-	68,010
Interest	1,741,302	-	-	81,682	94,060	-	1,917,044
Miscellaneous	463,273	-	-	-	-	-	463,273
Charges for services	781,144	-	-	-	-	-	781,144
Total Revenues	<u>39,307,018</u>	<u>5,754,433</u>	<u>4,846,988</u>	<u>81,682</u>	<u>94,060</u>	<u>9,162,086</u>	<u>59,246,267</u>
EXPENDITURES							
Current:							
Mayor and Municipal Assembly	1,998,621	-	-	-	-	-	1,998,621
General Government	15,009,337	-	-	-	-	861,254	15,870,591
Public Safety	1,957,462	-	-	-	-	670,262	2,627,724
Public Works	2,652,313	-	-	-	-	54,341	2,706,654
Culture and Recreation	1,332,691	-	-	-	-	85,021	1,417,712
Sanitation	1,886,287	-	-	-	-	-	1,886,287
Public Instruction	-	6,782,192	-	-	-	2,237,440	9,019,632
Solid Waste Disposal	2,886,482	-	-	-	-	-	2,886,482
Human Services and Welfare	3,793,143	-	-	-	-	2,540,944	6,334,087
Urban Development	531,914	-	-	-	-	1,847,096	2,379,010
Amortization of Property Taxes Advances	-	-	-	-	-	-	-
Capital Outlay	332,885	-	-	381,933	-	4,711,982	5,426,800
Debt Service:							
Bond Issue Costs	-	-	118,550	-	-	-	118,550
Principal	-	-	3,138,541	-	-	-	3,138,541
Interest and Other Charges	-	-	1,748,077	-	-	-	1,748,077
Total Expenditures	<u>32,381,135</u>	<u>6,782,192</u>	<u>5,005,168</u>	<u>381,933</u>	<u>-</u>	<u>13,008,340</u>	<u>57,558,768</u>
EXCESS (DEFICIENCY) OF REV ORDER (UNDER) EXPENDITURES	6,925,883	(1,027,759)	(158,180)	(300,251)	94,060	(3,846,254)	1,687,499
OTHER FINANCIAL SOURCES (USES)							
Proceed of Note	-	-	-	10,620,000	10,620,000	222,028	21,462,028
Operating Transfer In	-	-	1,447,764	-	-	3,290,829	4,738,593
Operating Transfer Out	(4,620,043)	-	-	(59,283)	(59,267)	-	(4,738,593)
Total Other Financing Sources and Uses	<u>(4,620,043)</u>	<u>-</u>	<u>1,447,764</u>	<u>10,560,717</u>	<u>10,560,733</u>	<u>3,512,857</u>	<u>21,462,028</u>
Special Item							
Net Change in Fund Balances	2,305,840	(1,027,759)	1,289,584	10,260,466	10,654,793	(333,397)	23,149,527
Fund Balance (Deficit), as Restated at Beginning of Year	<u>7,633,522</u>	<u>1,064,135</u>	<u>6,160,243</u>	<u>-</u>	<u>-</u>	<u>17,156,422</u>	<u>32,014,322</u>
FUND BALANCES – ENDING	<u>\$ 9,939,362</u>	<u>\$ 36,376</u>	<u>\$7,449,827</u>	<u>\$10,260,466</u>	<u>\$10,654,793</u>	<u>\$16,823,025</u>	<u>\$55,163,849</u>

See accompanying Notes to Basic Financial Statements.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF HUMACAO, PUERTO RICO

RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES
IN FUND BALANCE OF GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES

FOR THE FISCAL YEAR ENDED JUNE 30, 2007

Net Change in Fund Balances – Government Funds (Page 20)	\$23,149,527
Amount reported for Governmental Activities in the Statement of Activities (Page 16) are different because:	
Governmental funds report capital outlays as expenditures. However, in the Statement of Activities the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense. In the current period, these amounts are:	
Capital Assets	\$5,426,800
Depreciation Expense	<u>(2,278,592)</u>
Excess of Capital Assets over Depreciation Expense	3,148,208
Governmental funds only report the proceeds received in the disposal of assets. In the Statement of Activities, a gain or loss is reported for each disposal. Thus, the change in net assets differs from the change in fund balance by the cost of the disposed asset	1,000,460
Bonds proceeds provide current financial resources to governmental funds, but issuing debt increase Long-Term Liabilities in the Statement of Net Assets. In the current period, proceeds received was	(21,462,028)
Repayment of long-term principal is expenditure in the governmental funds, but issuing debt reduced Long-Term Liabilities in the Statement of Net Assets. In the current period repayments were	3,138,541
Some expenses reported in the Statement of Activities do not require the use of current financial resources and therefore are not reported as expenditures in governmental funds. These activities consist of:	
Increase Bond Issue Costs	134,798
Decrease in Section 8 Compensated Absences	79,789
Increase in Claim and Judgments	(478,000)
Decrease in Unemployment Plant	188,353
Increase in Compensated Absences	<u>(848,841)</u>
Change in Net Assets of Governmental Activities (Page 16)	<u>\$ 8,050,807</u>

See accompanying Notes to Basic Financial Statements.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF HUMACAO, PUERTO RICO
NOTES TO THE BASIC FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2007

NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The Municipality of Humacao, Puerto Rico (Municipality) was founded in the year 1793, and operates as a governmental unit of the Commonwealth of Puerto Rico, under the Law Number 81 of August 30, 1991, known as "Autonomy Municipalities Law of the Commonwealth of Puerto Rico". The governmental system of the Municipality is composed of the executive and legislative bodies. The Mayor is the Chief Executive Officer and is elected every four years in the general elections of the Commonwealth of Puerto Rico. The legislative body consists of 16 Legislators also elected in the general elections of Puerto Rico for a four-year period.

The Municipality provides services such as: health, public works, sanitation, aids and services to low-income and elderly citizens, public safety, housing and urban development, culture and recreation, planning, zoning and other general and administrative services.

The accounting policies of the Municipality conform to accounting principles generally accepted in the United States of America (GAAP) as prescribed by the Governmental Accounting Standards Board (GASB). The GASB is the standard-setting body for governmental accounting and financial reporting. The GASB periodically updates its codification of the existing Governmental Accounting and Financial Reporting Standards which, along with subsequent GASB pronouncements (Statements and Interpretations) constitutes GAAP for governmental units. The following is a summary of the more significant of such policies.

A. Financial Reporting Entity

The accompanying basic financial statements include all departments and organizations units whose funds are under the custody and control of the Municipality. In evaluating the Municipality as a reporting entity, management has addressed all the potential component units. The decision to include a potential component unit in the reporting entity was made by applying the provisions of GASBS No. 14, as amended by GASBS No. 39, *Determining Whether Certain Organizations Are Component Units – an amendment of GASB Statement No. 14*.

The basic criteria for including a potential component unit within the reporting entity is if potential component units are financially accountable and other organizations for which the nature and significance of their relationship with the entity are such that exclusion would cause the Municipality's financial statements to be misleading or incomplete. The GASB has set forth criteria to be considered in determining financial accountability. These criteria include appointing a voting majority of an organization's governing body and (1) ability of the Municipality to impose its will on that organization or (2) the potential for the organization to provide specific financial benefits to, or impose specific financial burdens on the Municipality.

GASBS No. 39 provided additional guidance to determine whether certain organization for which the primary government is not financially accountable should be reported as components units. A legally separate, tax-exempt organization should be discretely presented as a component unit if all of the following criteria are met: (a) the economic resources received or held by the separate organization are entirely or almost entirely for the direct benefit of the primary government, its component units, or its constituents; (b) the primary government, or its component units, is entitled to, or has the ability to otherwise access, a majority of the economic resources received or held by the separate organization, and; (c) the economic resources received or held by an individual organization that the specific primary government, or its component units, is entitled to, or has the ability to otherwise access, are significant to the primary government.

There are two methods of presentation of the component unit in the financial statements: blending – the financial data of the component unit's balances and transactions in a manner similar to the presentation of the Municipality's balance; and discrete – presentation of the component unit's financial data in column separate from the Municipality's balances and transactions.

The relative importance of each criterion must be evaluated in light of specific circumstances in order to determine which components units are to be included as part of the reporting entity. Our specific evaluations of the criteria applicable to the Municipality indicate no organizations meet the criteria to be included as component units. Accordingly, these basic financial statements present only the Municipality as the reporting entity.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF HUMACAO, PUERTO RICO
NOTES TO THE BASIC FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2007

NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continuation)

These financial statements present the respective financial position of the governmental activities, each major fund, and the aggregate remaining fund information of the Municipality, as of June 30, 2007, and the respective changes in financial position, where applicable, thereof for the fiscal year then ended.

B. Financial Statement Presentation

The basic financial statements include both government-wide (based on the Municipality as a whole) and fund financial statements. Both the government-wide and fund financial statements (within the basic financial statements) categorize primary activities as either governmental or business type.

Government-wide Financial Statements

The government-wide financial statements (the *Statement of Net Assets* and the *Statement of Activities*) report information of all the activities of the Municipality. For most part, the effect of interfund activity has been removed from these government-wide financial statements. Governmental activities are normally supported by taxes and intergovernmental revenues. Business-type activities, which rely to a significant extent on fees and charges for support, are not reported since the Municipality doesn't have such activities.

The focus of the *Statement of Net Assets* is designed to be similar to bottom line results for the Municipality and its governmental activities. This statement, for the first time, combines and consolidates governmental fund's current financial resources (short-term spendable resources) with capital assets and long-term obligations.

The *Statement of Net Assets* presents the reporting entities' assets and liabilities, with the difference reported as net assets. Net assets are reported in three categories:

- Invested in Capital Assets, Net of Related Debt – These consist of capital assets, net of accumulated depreciation and amortization and reduced by outstanding balances for bonds, notes, and other debt that are attributed to the acquisition, construction, or improvement of those assets.
- Restricted Net Assets – These result when constraints placed on net assets use are either externally imposed by creditors, grantors, contributors, and the like, or imposed by law through constitutional provisions or enabling legislation.
- Unrestricted Net Assets – These consist of net assets which do not meet the definition of the two preceding categories. Unrestricted net assets often are designated, to indicate that management does not consider them to be available for general operations. Unrestricted net assets often have constraints on resources that are imposed by management, but can be removed or modified.

When both restricted and unrestricted resources are available for use, generally it is the Municipality's policy to use restricted resources first, then the unrestricted resources as they are needed.

The *Statement of Activities* demonstrates the degree to which the direct expenses of a given function or segment is offset by program revenues. *Direct expenses* are those that are clearly identifiable with a specific function or segment. *Program revenues* include 1) charges to customers or applicants who purchase, use or directly benefit from goods, services, or privileges provided by a given function or segment, and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items not properly included among program revenues are reported instead as *general revenues*.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF HUMACAO, PUERTO RICO
NOTES TO THE BASIC FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2007

NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continuation)

Governmental Fund Financial Statements

The fund financial statements (the *Balance Sheet*, the *Statement of Revenues, Expenditures, and Changes in Fund Balance Net Assets*) are, in substance, very similar to the financial statements presented in the previous financial reporting model. Emphasis here is on the major funds in the governmental category. Non-major funds are summarized into a single column.

Traditional users of governmental financial statements will find the Fund Financial Statements presentation more familiar. The focus is on Major Funds, rather than the previous financial model's fund types. This is the manner in which these funds are normally budgeted. This presentation deemed most appropriate to (a) demonstrate legal and covenant compliance, (b) demonstrate the source and use of liquid resources, and (c) demonstrate how the Municipality's actual experience conforms to the budgeted fiscal plan.

Since the governmental fund statements are presented in different measurement focus and basis of accounting than the government-wide statements, reconciliation is presented and separate explanation for each differences.

The Municipality reports its financial position (Balance Sheet) and results of operations (Statement of Revenues, Expenditures and Changes in Fund Balance) in funds, which are considered separate accounting entities. The operations of each fund are accounted for within a set of self-balancing accounts. Fund accounting segregates funds according to their intended purpose and is used to aid management in demonstrating compliance with legal, financial, and contractual provisions.

C. Measurement Focus and Basis of Accounting

Government-wide Financial Statements

The government-wide financial statements (the Statement of Net Assets and the Statement of Activities) are reported using the *economic resources measurement focus* and the *accrual basis of accounting*. Revenue is recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Grant and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

Governmental Fund Financial Statements

The governmental fund financial statements are reported using the *current financial resources measurement focus* and the *modified accrual basis of accounting*. Revenues are recorded when susceptible to accrual; as soon enough thereafter to pay liabilities of the current period. For this purposes, the government considers revenues to be available if they are collected within sixty (60) days of the end of the current period.

In applying the "susceptible to accrual" concept to intergovernmental revenues (federal grants) pursuant to GASBS No. 33, *Accounting and Financial Reporting for Nonexchange Transactions* (the Municipality may act as either provider or recipient), the provider should recognize liabilities and expenses and the recipient should recognize receivables and revenue when the applicable eligibility requirements including time requirements, are met. Resources transmitted before the eligibility requirements are met should, under most circumstances, be reported as advances by the provider and deferred revenue by the recipient.

There are essentially two types of revenue. For the majority of grants, moneys must be expended by the Municipality on the specific purpose or project before any amounts will be reimbursed. Revenue is, therefore, recognized as expenditures are incurred to the extent available. For the other revenue, moneys are virtually unrestricted and are generally revocable only for failure to comply with prescribed compliance requirements. These resources are reflected as revenue at the time of receipt or earlier if the susceptible to accrual criteria is met.

Expenditures are generally recognized when the related liability is incurred, as under accrual accounting. The exceptions to this general rule are the compensated absences and claims and judgments, if any, that are recorded only when payment is due.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF HUMACAO, PUERTO RICO
NOTES TO THE BASIC FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2007

NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continuation)

Property taxes, volume of business taxes, licenses and permits, and interest associated with the current fiscal period are all considered to be susceptible to accrual and so have been recognized as revenues of the current fiscal period. All other revenue items are considered to be measurable and available only when cash is received by the Municipality.

The Municipality reports the following major fund:

General Fund – This is the general operating fund of the Municipality. It is used to account for all financial resources, except those required to be accounted for in another fund.

Head Start Fund – This is the fund used to account for all transactions of the Head Start Program. The objectives to this program are to provide comprehensive health, educational, nutritional, social and other developmental services primarily to economically-disadvantaged pre-school children and infants and toddlers so that the children will attain school readiness.

Debt Service Fund – This is used to account for the accumulation of resources for, and the payment of, long-term debt principal and interests.

Coliseum Fund – This fund is used to account for the construction of a Coliseum in Humacao.

Art Center Fund – This is used to account for the construction of the Art Center in Humacao.

The non-major funds are combined in a single column in the fund financial statements.

As a general rule the effect of interfund activity has been eliminated from the government-wide financial statements.

D. Budgetary Data

The Municipality's annually adopts the Budget Resolution for all operating funds of the Municipality except for certain restricted accounts Special Revenue Funds. Budgetary control is legally maintained at the fund level. The budget is prepared using the modified accrual basis of accounting with encumbrance included as budgetary basis expenditures. The Municipality's Budget Resolution provides transfer authority (1) to the Mayor and the Management and Budget Director, within and between departments and funds, as long as the total budget of the Municipality (net of interfund transfers) is not increased; (2) to the Management and Budget Director to implement grant budgets as the grant applications are accepted by the Municipality; and (3) to the Management and Budget Director to amend (re-appropriate) each new year's budget, to the extent of outstanding encumbrances, and/or unexpended project/grant appropriations at year end. Municipality's Legislature action is required for (1) use of the budgeted Legislature contingency, and (2) the approval of a supplemental appropriation(s). During the year, several supplemental appropriations were necessary.

The budget columns (original and final budgets) of the Budgetary Comparison – General Fund reflect the original budget and the amended budget (which have been adjusted for legally authorized revisions of the annual budgets during the year). Appropriations, except remaining project appropriations, encumbrances, and unexpended grant appropriations, lapse at the end of each fiscal year. Amendments to the budget, including transfers, require the approval of the Municipal Legislature. All encumbrance appropriations in the operating budget lapse at the end of the fiscal year.

Since the budgetary basis differs from accounting principles generally accepted in the United States of America (GAAP), actual amounts for the General Fund in the accompanying Budgetary Comparison Schedule, is presented on the budgetary basis to enhance comparability.

The principal differences between the budgetary and GAAP bases are the following:

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF HUMACAO, PUERTO RICO
NOTES TO THE BASIC FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2007

NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continuation)

1. Encumbrances are recorded as expenditures under the budgetary basis and as a reserve of fund balances under GAAP.
2. Interfund transactions of the General are not included in the budgetary basis.
3. Certain accrued liabilities and other debts are not included in the budgetary basis.
4. Certain revenues susceptible to accrual, i.e., both measurable and available, are not included in the budgetary data.

The Special Revenue Fund has not been included in the budgetary comparison because balances are not budgeted. Also the budget prepared for the Federal Financial Awards Programs included in the Capital Projects and Special Revenue Funds is based on a program period which is not necessarily the same fiscal year. Accordingly, it's not practical to present an annual comparison of budget for such programs.

E. Cash

The Director of Finance of the Municipality is responsible for investing the available resources in certificates of deposit and other short-term investments. Interest earned on certificates of deposit and other short-term investments are recognized as revenue in the General Fund. Cash in the Special Revenue, Debt Service and Capital Project Funds are restricted; accordingly, resources available were not used for pool investments.

Cash with fiscal agent represents property tax collections retained by the Municipal Revenues Collection Center and undisbursed proceeds of certain bonds, loans or grants which are maintained in a cash custodian account by the Government Development Bank of the Commonwealth of Puerto Rico.

Cash balance recognized in the Debt Service Fund is restricted for the payment of the Municipality's obligations, and others are restricted for specific projects, such as the acquisition or construction of permanent improvements. This sinking fund is maintained by the Governmental Development Bank of Puerto Rico, agency which acts as the insurer and payer of the Municipality's bonds and notes issued in accordance with law.

F. Receivables and Payables

Activity between funds that are representative of lending/borrowing arrangements outstanding at the end of the fiscal year are referred to as either "due to/from other funds" (i.e., the current portion of interfund loans) or "advances to/from other funds" (i.e., the non-current portion of interfund loans). All other outstanding balances between funds are reported as "due to/from other funds." Any residual balances outstanding between the governmental activities and business-type activities are reported in the government-wide financial statement as "interfund balances".

Advance between funds, as reported in the fund financial statements, are offset by a fund balance reserve account in applicable governmental funds to indicate that they are not available for appropriation and are not expendable available financial resources.

All trade and property tax receivable are shown net of an allowances for uncollectible, which are determined upon past collection experience and current economic conditions. Receivable from Federal Government represents amounts owed to the Municipality for reimbursement of expenditures incurred pursuant to federally funded programs.

G. Inventories

The General, Special Revenue and Capital Project Funds, purchases office and printing supplies, gasoline, oil and other expendable supplies held for consumption. The cost of purchases is recorded as expenditure in the appropriate fund and the inventory is not recorded in the basic financial statements.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF HUMACAO, PUERTO RICO
NOTES TO THE BASIC FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2007

NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continuation)

H. Capital Assets

Capital assets, which include property, plant, equipment, and infrastructure assets (e.g., roads, bridges, sidewalks, and similar items), are reported in the applicable governmental or business-type activities columns in the government-wide financial statements. Capital assets, other than infrastructure assets, are defined by the government as assets with an initial, individual cost of more than \$500 (amount not rounded) and an estimated useful life in excess of two years. For improvements other than buildings, the capital outlay must be greater than \$10,000, extend the estimated useful life for ten years, and be greater than 10% of the original cost of the asset. The government reports infrastructure assets on a network and subsystem basis. Accordingly, the amounts spent for the construction or acquisition of infrastructure assets are capitalized and reported in the government-wide financial statements regardless of their amount.

In the case of the initial capitalization of general infrastructure assets (i.e., those reported by governmental activities) the government chose to include all such items regardless of their acquisition date or amount. The government was able to estimate the historical cost for the initial reporting of these assets through back trending (i.e., estimating the current replacement cost of the infrastructure to be capitalized and using an appropriate price-level index to deflate the cost to the acquisition year or estimated acquisition year). As the government constructs or acquires additional capital assets each period, including infrastructure assets, they are capitalized and reported at historical cost. The reported value excludes normal maintenance and repairs which are essentially amounts spent in relation to capital assets that do not increase the capacity or efficiency of the item or extend its useful life beyond the original estimate. In the case of donations the government values these capital assets at the estimated fair value of the item at the date of its donation.

Depreciation on all assets is provided on the straight-line basis over the following estimated useful lives:

CAPITAL ASSETS	YEARS
Buildings	50
Improvement Other Than Buildings	50
Equipments	10
Furniture	10
Vehicles	5
Machinery	5-10
Infrastructure	10-50

I. Compensated Absences

The Municipality accrues accumulated unpaid vacation and sick leave and associated employee-related costs when earned (or estimated to be earned) by the employee. The Municipality's employees are granted 30 days of vacations and 18 days of sick leave annually. Vacations may be accumulated up to a maximum of sixty (60) days and sick leave up to a maximum of ninety (90) days. In the event of employee resignation, the employee is paid for accumulated vacation days up to the maximum allowed. Separation from employment prior to use of all or part of the sick leave terminates all rights for compensation, except for employees with ten years of service who are entitled to sick leave pay up to the maximum allowed. The Municipality accrued a liability for compensated absences, which meet the following criteria:

1. The Municipality's obligation relating to employee's rights to receive compensation for future absences is attributable to employee's services already rendered.
2. The obligation relates to rights that vest or accumulate.
3. Payment of the compensation is probable.
4. The amount can be reasonably estimated.

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NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continuation)

In accordance with the above criteria and requirements as established by GASBS No. 16; the Municipality has accrued a liability for compensated absences, which has been earned but not taken by Municipality's employees. For the government-wide statements, the current portion is the amount estimated to be used in the following year. For the governmental funds statements, all of the compensated absences are considered long-term and therefore, are not a fund liability and represents a reconciling item between the fund level and government-wide presentations (see Note 8 on page 34).

J. Insurance

The Municipality has insurance coverage for its public facilities, primarily to provide protection from catastrophic losses. Also, principal officials of the Municipality are covered under various surety bonds. The Secretary of the Treasury Department of the Commonwealth of Puerto Rico is the agent commissioned to place all of the Municipality's insurance coverage. Corresponding premiums payable are withheld by the Municipal Revenue Collection Center from quarterly advances of annual property tax and subsidy sent to the Municipality.

K. Long-Term Obligations

In the government-wide financial statements, and proprietary fund types in the fund financial statements, long-term debt and other long-term obligations are reported as liabilities in the applicable governmental activities, business-type activities, or proprietary fund type statement of net assets. Bond premiums and discounts, as well as issuance costs, are deferred and amortized over the life of the bonds using the effective interest method. Bonds payable are reported net of the applicable bond premium or discount. Bond issuance costs are reported as deferred charges and amortized over the term of the related debt.

In the fund financial statements, governmental fund types recognize bond premiums and discounts, as well as bond issuance costs, during the current period. The face amount of debt issued is reported as other financing sources. Premiums received on debt issuances are reported as other financing sources while discounts on debt issuances are reported as other financing uses. Issuance costs, whether or not withheld from the actual debt proceeds received, are reported as debt service expenditures.

L. Fund Equity

In the fund financial statements, governmental funds report reservations of fund balance for amounts that are not available for appropriation or are legally restricted by outside parties for use for a specific purpose. Designations of fund balance represent tentative management plans that are subject to change.

M. Reservations of Fund Balance – Governmental Funds

The governmental fund financial statements present fund balance reserves for those portions of fund balance (1) not available for appropriation for expenditures or (2) legally segregated for a specific future use. The reserves for related assets such as inventories and prepayments are examples of the former. Reserves for debt service and other specific purposes are examples of the latter.

N. Interfund Transactions

Interfund transactions are reflected as loans, reimbursements or transfers. Loans are reported as receivables and payables as appropriate and are subject to elimination upon consolidation. Reimbursements occur when one fund incurs a cost, charges the appropriate benefiting fund and reduces its related cost as a reimbursement. All other interfund transactions are treated as transfers. Transfers between governmental or proprietary funds are netted as part of the reconciliation to the government-wide columnar presentation. The Municipality has the following types of transactions among funds:

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NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continuation)

Interfund Transfers – Legally required transfers that are reported when incurred as transfers-in by the recipient fund and as transfers-out by the disbursing fund, with receivables and payables presented as amounts due to and due from other funds. Advances between funds are also presented as amounts due to and due from other funds. However, these transfers and related amounts receivables and payables are considered internal balances and activities that have been eliminated in the government-wide financial statements.

O. Claims and Judgments

The estimated amount of the liability for claims and judgments, if any, which is due on demand, such as from adjudicated or settled claims, is recorded in the General Fund. The Long-Term Debt Account includes an amount estimated as a contingent liability or liabilities with a fixed or expected due date, which will require future available financial resources for its payment.

P. Use of Estimates

The preparation of the basic financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosures of contingent assets and liabilities at the date of the basic financial statements and the reported revenue and expenses during the reporting period. Actual result could differ from those estimates.

NOTE 2 CASH

The Municipality's cash at year-end were entirely covered by the Federal Deposit Insurance Corporation (FDIC) coverage, up to a maximum of \$100,000 in each bank, and the excess by collateral provided by the banks and held by the Department of the Treasury pursuant the applicable laws and regulations. Cash with fiscal agent is maintained in interest bearing accounts in the Government Development Bank of Puerto Rico and is not collateralized.

Puerto Rico laws authorize governmental entities to invest in direct obligations or obligations guaranteed by the federal government or the Commonwealth of Puerto Rico. The Municipality is also allowed to invest in bank acceptances, other bank obligations and certificates of deposit in financial institutions authorized to do business under the federal and Commonwealth laws.

During the year, the Municipality invested its funds in interest bearing bank accounts. As June 30, 2007 the amount of \$6,872,671 and \$17,629,462, and 4861,691 was invested in an interest bearing account in Popular Bank of Puerto Rico, Humacao Branch and Eurobank, Humacao Branch that generates an annual interest rate of 4.28% and 4.33% respectively and First Bank 4.59%.

NOTE 3 CUSTODIAL CREDIT RISK RELATED TO DEPOSITS

As of June 30, 2007, the Municipality's custodial credit risk was approximately \$17 million, which is the bank balance of cash deposited at the Government Development Bank of Puerto Rico (GDB). These deposits are exempt from the collateral requirement established by the Commonwealth.

Pursuant to the Investment Guidelines for the Commonwealth adopted by GDB, the Municipality may invest in obligations of the Commonwealth, obligations of the United States, certificates of deposit, commercial paper, banker's acceptance, or in pools of obligations of the municipalities of Puerto Rico, among others.

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NOTE 4 OTHERS RECEIVABLES

As of June 30, 2007, the amount of \$276,675 corresponds to sales taxes receivable within 60 days.

Governmental funds report *deferred revenue* in connection with receivables for revenues that are not considered to be available to liquidate liabilities of the current period. Governmental funds also defer revenue recognition in connection with resources that have been received, but not yet earned. At the end of the current fiscal year, the various components of *deferred revenue* and *unearned revenue* reported in the governmental funds were as follows:

	UNAVAILABLE	UNEARNED
Volume of Business Taxes	\$ -	\$13,180,425
Other major funds	5,888,329	109,516
Head Start Program	<u>4,583,530</u>	<u>-</u>
Total Deferred/Unearned Revenue	<u>\$10,471,859</u>	<u>\$13,289,941</u>

NOTE 5 INTERFUND RECEIVABLE, PAYABLES AND TRANSFERS

A. INTERFUND RECEIVABLE AND PAYABLE BALANCES

Due to/from Other Funds at June 30, 2007 are summarized as follows:

INTERFUND RECEIVABLE	INTERFUND PAYABLE	AMOUNT
General Fund	Other Major Fund	\$ 850,290
General Fund	Debt Service Fund	109,279
Other Major Fund	Head Start Fund	<u>87,211</u>
TOTAL		<u>\$1,046,780</u>

B. INTERFUND TRANSFERS

Transfers are indicative of funding for capital projects or debt service, and subsidies of various operations.

SOURCES	TRANSFER TO	AMOUNT	PURPOSE
General Fund	Debt Services Fund	\$1,329,214	Bond principal and interest payments
Coliseum	Debt Services Fund	59,283	Bond Issue Costs
Art Center	Debt Services Fund	59,267	Bond Issue Costs
General Fund	Other Major Fund	3,041,600	Budget Specific project funding
General Fund	Other Major Fund	<u>249,229</u>	Non-Budget transfer
	Total	<u>\$4,738,593</u>	

NOTE 6 DUE FROM/TO GOVERNMENTAL UNITS

As of June 30, 2007, balance due from governmental units of the Other Major Fund corresponded reimbursement of Law 52 and Law 82.

The balance due to governmental units of the General Fund for services rendered to the Municipality consists of AEELA (\$46,567), Puerto Rico Water and Sewer Authority (\$13,605) and General Service Adam (\$ 540).

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NOTE 7 CAPITAL ASSETS

Capital Assets activities for the fiscal year ended June 30, 2007 was as follows:

DESCRIPTION	BALANCE JULY 1, 2006	ADJUSTMENTS	INCREASE	DECREASE	BALANCE JUNE 30, 2007
Non-Depreciable Capital Assets:					
Land	\$ 6,597,999	\$ 195,091	\$ 625,536	\$ -	\$ 7,418,626
Construction in Progress	<u>14,911,689</u>	<u>-</u>	<u>3,647,423</u>	<u>-</u>	<u>18,559,112</u>
Total Non-Depreciable Capital Assets	<u>21,509,688</u>	<u>195,091</u>	<u>4,272,959</u>	<u>-</u>	<u>25,977,738</u>
Depreciable Capital Assets:					
Buildings	49,567,293	(887)	33,702	-	49,600,108
Infrastructure	17,068,499	(683,383)	-	-	16,385,116
Motor Vehicles	6,178,318	(3,033)	327,581	-	6,502,866
Equipment	3,252,128	(186,515)	792,558	(134,917)	3,723,254
Capital Lease	<u>680,761</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>680,761</u>
Total Depreciable Capital Assets	<u>76,746,999</u>	<u>(873,818)</u>	<u>1,153,841</u>	<u>(134,917)</u>	<u>76,892,105</u>
Less Accumulated Depreciation:					
Buildings	(13,471,536)	31,666	(926,144)	-	(14,366,014)
Infrastructure	(4,291,709)	(35,325)	(266,188)	-	(4,593,222)
Motor Vehicles	(4,596,804)	18,818	(572,273)	-	(5,150,259)
Equipment	(2,115,663)	70,787	(377,834)	134,917	(2,287,793)
Capital Lease	<u>(213,011)</u>	<u>(24,819)</u>	<u>(136,153)</u>	<u>-</u>	<u>(373,983)</u>
Total Accumulated Depreciation	<u>(24,688,723)</u>	<u>61,127</u>	<u>(2,278,592)</u>	<u>134,917</u>	<u>(26,771,271)</u>
Total Depreciable Capital Assets (Net)	<u>52,058,276</u>	<u>(812,691)</u>	<u>(1,124,751)</u>	<u>-</u>	<u>50,120,834</u>
CAPITAL ASSETS, NET	<u>\$73,567,964</u>	<u>(\$ 617,600)</u>	<u>\$ 3,148,208</u>	<u>\$ -</u>	<u>\$76,098,572</u>

Depreciation expenses were charged to governmental functions/programs as follows:

	AMOUNT
Mayor and Municipal Legislature	\$ 319,003
General Government	205,073
Public Safety	182,287
Public Works	706,364
Culture and Recreation	660,792
Human Services and Welfare	113,929
Urban Development	<u>91,144</u>
Total Depreciation Expenses	<u>\$2,278,592</u>

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MUNICIPALITY OF HUMACAO, PUERTO RICO
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NOTE 8 GENERAL LONG-TERM DEBTS

A. GENERAL OBLIGATIONS BONDS AND SPECIAL NOTES PAYABLE

The principal long-term obligations of the Municipality are general obligations bonds and special notes issued to finance the construction and improvements of public facilities and purchase of equipment. The Municipality's obligations long-term debt retirements are appropriated and paid from resources accumulated in the Debt Service Fund (see Note 9). The special obligations long-term notes retirements are paid through retention made by the Municipal Revenue Collection Center from monthly advance of annual property tax and subsidy send to the Municipality.

General obligations bonds and notes payable as of June 30, 2007, are comprised of the following individual issues:

DESCRIPTION	AMOUNT
General Obligations Bonds:	
\$5,200,000, Series 2003-04, for construction purposes, payable in annual installments ranging from \$90,000 to \$405,000, excluding interests at 5.00%, through July 1, 2028	\$ 4,915,000
\$4,020,000, Series 2002-03, for the acquisition of building, payable in semiannual installments ranging from \$70,000 to \$310,000, excluding interests at 5.00%, through July 1, 2027	3,720,000
\$1,099,000, Series 1995, for purchase of equipment, payable in semiannual installments ranging from \$24,000 to \$110,000, excluding interests at 5.45%, through July 1, 2013	615,000
\$1,415,000, Series 1998, for construction purposes and payment of claims and judgments, payable in semiannual installments ranging from \$95,000 to \$195,000, excluding interests at 7.81%, through July 1, 2007	195,000
\$1,485,000, Series 1995, for construction purposes, payable in semiannual installments ranging from \$45,000 to \$155,000, excluding interests at 5.17%, through July 1, 2014	970,000
\$8,395,000, Series 1998, for construction purposes, payable in semiannual installments ranging from \$160,000 to \$775,000, excluding interests at 6.46%, through July 1, 2018	6,325,000
\$1,950,000, Series 2001, for purchase of equipment, payable in semiannual installments ranging from \$25,000 to \$340,000, excluding interests at 7.00%, through July 1, 2008	655,000
\$1,720,000, Series 2005, for construction purposes, payable in semiannual installments ranging from \$35,000 to \$120,000, excluding interests at 5.02%, through July 1, 2030	1,685,000
\$370,000, Series 2006 for land acquisition, payable in semiannual installments ranging from \$5,000 to \$25,000, excluding interests at 5.02%, through July 1, 2030	365,000
\$10,620,000, Series 2006 for construction purposes, payable in semiannual installments ranging from \$ 250,000 to \$ 750,000, excluding interest at 5.525%, through July 1, 2031	10,620,000
\$10,620,000, Series 2006 for construction purposes, payable in semiannual installments ranging from \$ 250,000 to \$ 750,000, excluding interest at 5.525%, through July 1, 2031	<u>10,620,000</u>
Total General Obligations – Bonds	<u>40,685,000</u>
Special Obligations – Notes:	
\$4,786,000, Series 1995, for refinancing purpose, payable in semiannual installments ranging from \$126,000 to \$475,000, excluding interests at 7.81%, through July 1, 2013	2,665,000

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NOTE 8 GENERAL LONG-TERM DEBTS (continuation)

DESCRIPTION	AMOUNT
Special Obligations – Notes:	
\$2,000,000, Series 1990, for operational purpose, payable in quarterly installments ranging from \$25,000 to \$100,000, excluding interests at 8.00%, through July 1, 2009	\$ 236,842
\$678,395, Rural Development Note, for construction purpose, unobligated until finished the project	<u>678,395</u>
Total Special Obligations – Notes	<u>3,580,237</u>
Total General Obligations Bonds and Notes	<u>\$44,265,237</u>

The annual requirements to amortize the general and special obligations outstanding as of June 30, 2007 are as follows:

YEAR ENDING JUNE 30,	PRINCIPAL PAYMENT	INTEREST PAYMENT	TOTAL PAYMENT
2008	\$ 2,060,263	\$ 2,530,067	\$ 4,590,330
2009	1,995,263	2,412,631	4,407,894
2010	1,681,316	2,295,997	3,977,313
2011	1,770,000	2,186,775	3,956,775
2012	1,905,000	2,001,085	3,906,085
2013-2017	9,270,000	8,234,609	17,504,609
2018-2022	7,940,000	5,714,773	13,654,773
2023-2027	8,560,000	3,554,438	12,114,438
2028-2031	<u>9,083,395</u>	<u>1,081,773</u>	<u>10,165,168</u>
TOTAL	<u>\$44,265,237</u>	<u>\$30,012,148</u>	<u>\$74,277,385</u>

B. OBLIGATION UNDER CAPITAL LEASES

The Municipality is obligated under certain capital leases accounted for in the Statement of Net Assets. The historical cost, accumulated depreciation, future minimum lease payments at June 30, 2007, are as follows:

Cost	<u>\$680,760</u>
Accumulated Depreciation	<u>\$373,983</u>
Monthly Lease Payments	<u>\$128,574</u>
Residual Lease Payment	<u>\$ -</u>
YEAR ENDING JUNE 30,	TOTAL PAYMENT
2008	84,110
2009	84,110
2010	56,894
2011	<u>14,245</u>
Total Minimum Lease Payments	239,359
Less: Deferred Interest	<u>12,708</u>
Present Value Minimum Lease Payments	<u>\$226,651</u>

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NOTE 8 GENERAL LONG-TERM DEBTS (continuation)

C. OTHER LONG-TERM DEBTS

DESCRIPTION	BALANCE JULY 1, 2006	NEW ISSUES	RETIREMENTS AND ADJUSTMENT	BALANCE JUNE 30, 2007
Property Taxes – MRCC	\$ 732,652	\$ -	(\$ 732,652)	\$ -
Law 146	732,969	-	(2,520)	730,449
LIMS Debt	1,138,947	-	(180,730)	958,217
Claims and Judgments	-	478,000	-	478,000
Law 42	470,345	-	(7,338)	463,007
Unemployment	470,883	-	(188,353)	282,530
Compensated Absences	<u>3,840,601</u>	<u>848,841</u>	<u>-</u>	<u>4,689,442</u>
TOTAL	<u>\$ 7,386,397</u>	<u>\$ 1,326,841</u>	<u>(\$ 1,111,593)</u>	<u>\$ 7,601,645</u>

D. CHANGES IN GENERAL LONG-TERM DEBTS

The following is a summary of changes in long-term debts for the year ended June 30, 2006:

DESCRIPTION	BALANCE JULY 1, 2006	NEW ISSUES	RETIREMENTS AND ADJUSTMENT	BALANCE JUNE 30, 2007	AMOUNTS DUE WITHIN ONE YEAR	AMOUNTS DUE AFTER NEXT YEAR
General	\$20,637,000	\$ 21,240,000	(\$ 1,192,000)	\$40,685,000	\$ 1,655,000	\$39,030,000
Special	4,124,625	222,028	(766,416)	3,580,237	405,263	3,174,974
Capital Lease	344,689	-	(118,038)	226,651	76,924	149,727
Others Debts	<u>7,386,397</u>	<u>1,326,841</u>	<u>(1,111,593)</u>	<u>7,601,645</u>	<u>4,123,692</u>	<u>3,477,953</u>
TOTAL	<u>\$32,492,711</u>	<u>\$22,788,869</u>	<u>(\$ 3,188,047)</u>	<u>\$52,093,533</u>	<u>\$ 6,260,879</u>	<u>\$45,832,654</u>

NOTE 9 DEBT RETIREMENT

Revenues of the debt service fund consists of the ad-valorem property taxes which are recognized as revenue when collected from taxpayers and reported by the Municipal Revenue Collection Center of the Commonwealth of Puerto Rico to the Municipality (See Note 10).

These property taxes are accumulated by the Municipal Revenue Collection Center in costs of the general obligations bonds issued by the Municipality (See Note 8). Payments are made to the Government Development Bank of the Commonwealth of Puerto Rico from such accumulated funds by the Municipal Revenue Collection Center of Puerto Rico.

NOTE 10 PROPERTY TAXES

The Municipal Revenue Collection Center of the Commonwealth of Puerto Rico is responsible for the assessment of all real and personal property located within the Municipality and for the levy, administration and collection of the corresponding tax contribution.

The property tax contribution is levied each year over the appraised value of the property at the beginning of the calendar year. The real property assessment is based on the current value existing in the year 1957 and the personal property at the current value at the date of the assessment.

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NOTE 10 PROPERTY TAXES, (continuation)

The tax rate per annum is 7.53% for real property and 5.33% for personal property of which 1.03% of both belong to the Commonwealth of Puerto Rico and 6.50% and 4.50%, respectively, belongs to the Municipality. From the portion belonging to the Municipality, 5.25% and 3.25%, respectively, represents the Municipality's basic tax rate that is appropriated for general purposes and therefore accounted for through the general fund.

The remaining portion belonging to the Municipality of 1.25% represents the ad-valorem property taxes withheld by the Municipal Revenue Collection Center of the Commonwealth of Puerto Rico and restricted for debt service, which is accounted for through the debt service fund (See Note 8). The Municipality has reached the maximum statutory tax rate limit for the basic tax while there is no limitation for the ad-valorem tax rate.

The Commonwealth of Puerto Rico grants complete real property tax exoneration on the first \$15,000 has assessed valuation on residential units occupied by their owners. However, the Municipality receives the full amount levied, except for residential units assessed at less than \$3,500 on which a complete exemption is granted. The Municipal Revenue Collection Center, instead of the property taxpayer, becomes the source of payment in these cases.

The Municipality grants a complete exemption from personal property taxes up to an assessment value of \$50,000, to retailers with an annual net sales volume of less than \$150,000. The Municipal Revenue Collection Center advances to the Municipality, on monthly payments, 100% of the contribution assessed over property for each fiscal year. In accordance to Law, these advances will be contributions by the Municipal Revenue Collection Center from taxpayers. The Municipal Revenue Collection Center periodically informs to the Municipality the amounts collected from taxpayers and applied to outstanding advances.

The Municipality records as revenue in the general fund the property tax contribution when received from monthly advances from Municipal Revenue Collection Center.

Due to the fact that collections of property tax are applied to the advances of property tax paid by the Municipality Revenue Collection Center, the amortization of the advance at end of year was not available due to that is in process of verification by external auditors.

NOTE 11 VOLUME OF BUSINESS TAX

The volume of business tax is levied each year based on the prior year's gross revenues for all commercial and industrial organizations doing business in the Municipality and which are not totally or partially exempt from this tax under the Industrial Incentives Laws of the Commonwealth of Puerto Rico. All taxpayers are required to file their declarations by April 23 of each year. The tax rates are as follows:

- a. 1.50% for financial institutions and savings and loan associations.
- b. 0.50% for all other organizations.

Taxes are payable in two equal semi-annual installments on July 1 and January 1 following the date of levy. If they are paid with declaration, the taxpayer is granted a 5% of discount. Collections of taxes during current fiscal year, applicable to the next fiscal year, are recorded as deferred revenues in the General Fund.

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NOTE 12 INTERGOVERNMENTAL REVENUES

Intergovernmental revenues consist primarily of funds received from the Commonwealth of Puerto Rico, "in lieu of tax" payments from the quasi-public corporation, Puerto Rico Electric Power Authority, and federal financial assistance received from federal government.

Grants and subsidies received from the Commonwealth of Puerto Rico and federal agencies include, among others, a general subsidy for urban development and capital improvements. Intergovernmental revenues are accounted for through the General Fund except for those directly related to urban development and capital improvements, which are accounted for through the Special Revenue and the Capital Project Funds. Federal Financial Assistance is recorded in the Special Revenue Fund.

NOTE 13 EMPLOYEE'S RETIREMENT PLAN

The Employee's Retirement System of the Government of Puerto Rico and its Instrumentalities (ERS) is the administrator of a cost-sharing multiple-employer retirement system established by the Commonwealth of Puerto Rico. The ERS was created under the Act 447, approved on May 15, 1951, as amended, and became effective on January 1, 1952. ERS covers all regular employees of the Commonwealth of Puerto Rico and its instrumentalities and of certain municipalities and component units not covered by their own retirement systems.

Participation is mandatory except for members of the Legislature, Government Secretaries, Head of Agencies and Public Instrumentalities, Assistants to the Governor, the Comptroller of the Puerto Rico, Gubernatorial Board and Committee appointees and Experimental Service Station employees. ERS provides retirement, death and disability benefits. Disability retirement benefits are available to members for occupational and non-occupational disabilities. Retirement benefits depend upon age at retirement and number of years of credited service. Benefits vest after ten years of plan participation.

The Municipality adopted the requirements of GASBS No. 25 for all the career employees that are covered under the Commonwealth of Puerto Rico Employee's Retirement System, a multiple-employer public employee retirement system, established by State Laws.

Under the plan, the employees and employer portions are contributed, for which, the employee amount is withheld from salaries. Covered employees are required by Commonwealth statute to contribute 5.775% for the first \$6,600 of monthly salary plus 8.275% for the excess of this amount, or on the alternative, 8.275% of all salary. The Municipality contributes to the system 9.275% of the participating employee's salaries.

Law Number 305 of September 24, 1999, amends the Act Number 447 that establish a savings program. All employees active in the system as of December 31, 1999 may elect to transfer from defined contribution programs to the new savings program (a defined contribution plan). Employees in the savings program may now contribute from a minimum of 8.275% up to a maximum of 10% of their monthly salary, and will be invested in an account which will either: (a) earn a fixed rate based on the two-year Constant Maturity Treasury Note or, (b) earn a rate equal to 75% of the return of the System's investment portfolio (net of management fees), or (c) earn a combination of both alternatives.

If at time of retirement accumulated benefits amount to \$10,000 or less may elect to receive a lump sum distribution up to the accumulated benefits. Under the new program the retirement age is reduced from 65 to 60 for those employees who joined the current plan on or after April 1, 1990.

The pension benefit for participants who retire with less than 30 years of service is computed at the rate of 1½% of their average compensation of each year of credit service for the remaining years. The System also provides for death and disability benefits and the assets of the System pertaining to the participant employees.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF HUMACAO, PUERTO RICO
NOTES TO THE BASIC FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2007

NOTE 13 EMPLOYEE'S RETIREMENT PLAN (continuation)

A variety of significant actuarial assumptions are used to determine the standard measure of the pension benefit obligation and these assumptions are summarized below:

- a. The present value of the future pension payments was computed by using a discount of 9%.
- b. Future pension payments reflect an assumption of a 6% salary increase.

All employees that do not elect to transfer for the new program and who at the time of employment are 55 years old or less are eligible to participate in the System. Pension benefits for participants with 30 years of service are as follows:

YEARS OF SERVICE	PARTICIPANT'S AGE	PENSION BENEFITS
30 or more	55 or less	65% of the average of the three years of highest salary during the employee's service period.
30 or more	58 or more	75% of the average of the three years of highest salary during the employee's service period.
30 or more	65 or more	75% of the average of the three years of highest salary during the employee's service period (employees started working after April 1, 1990).

The amount of the total pension benefit obligation is based on a standardized measurement established by GASBS No. 27, *Financial Reporting for Defined Benefit Pension Plans and Notes Disclosure for Defined Contributions Plans*. The standardized measurement is the actuarial present value of estimated defined pension benefits, adjusted for the effects of projected salary increases and step-rate benefits, estimated to be payable in the future as a result of employee services performed to date. The measure is intended to help users assess the System's funding status on a going-concern basis, assess progress made in accumulating sufficient assets to pay benefits when due, and make comparisons among other public retirement systems. The measure is independent of the actuarial funding method used to determine contributions to the plan.

The membership of retirees and beneficiaries currently receiving benefits and terminated employees entitled to benefits, but not yet receiving benefits, and active employees and the distribution of active employees between vested and non-vested is not readily available.

Contributions in 2007 and prior years were made based on percentages established by the law. Such percentage has not been based on actuarial studies, as required by accounting principles generally accepted in the United States of America. An actuarial compilation of the annual contribution applicable to the Municipality has not been prepared. Accordingly, the accounts by which the actual contributions differ from the required actuarial contributions are not known.

The total pension expenditures recorded in the category of administration for the Fiscal Year Ended June 30, 2007 was as follow:

	LAW No. 447	SYSTEM 2000
Required	<u>\$596,657</u>	<u>\$337,863</u>
Actual	<u>\$596,657</u>	<u>\$337,863</u>

All employees who at the time of employment are 55 years old or less are eligible to participate in the System. No benefit is payable if the participant receives a refund of his accumulated contributions.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF HUMACAO, PUERTO RICO
NOTES TO THE BASIC FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2007

NOTE 13 EMPLOYEE'S RETIREMENT PLAN (continuation)

The historical trend information regarding the accumulation of assets and pension benefit obligation in the ERS is not available. For the ten-year trend information, refer to the separately issued financial statements of the ERS as of and for the fiscal year ended June 30, 2007. The P.R. Retirement Plan Administration provides additional information of the ERS. They issue a publicly available financial report that includes financial statements and required supplementary information for ERS, as a component unit of the Commonwealth of Puerto Rico. That report may be obtained by writing to the Administration at PO Box 42003, Minillas Station, San Juan, PR 00940.

NOTE 14 CONTINGENCIES

A. CLAIMS AND JUDGMENTS

The Municipality is, at present, a defendant in a number of legal matters that arise from alleged improper application of policies and negligence in the ordinary course of the Municipality's activities. The legal counsel of the Municipality has advised that at this stage in the proceedings of lawsuits he cannot offer an opinion as to the probable outcome.

In addition, the Municipality is a defendant or co-defendant in several legal proceedings, which are in discovery stage. Certain of these claims are covered by insurance. Legal counsel with the information currently available can not determine the final outcome of these claims. Accordingly, the financial statements do not include adjustment, if any, that could result from the resolution of this legal proceeding. However, it has been the Municipality's experience that such actions are settled for amounts substantially less than the claimed amounts.

B. FEDERAL GRANTS

In the normal course of operations, the Municipality receives grants from various Federal and State agencies. The grant programs are subject to audit by agents of the granting authority, the purpose of which is to ensure compliance with conditions precedent to the granting of funds. The Community Development Block Grant had a federal audit by Federal Agency and the report presents a liability of \$169,126 of questioned costs.

The U.S. Department of Housing and Urban Development has determined that the Municipality's financial management system did not fully comply with applicable HUD requirements. The system did not properly identify the allocate more than \$1.2 million in program income, did not properly allocate more than \$315,500 in administration salaries, allowed the use of more than \$66,500 for ineligible expenditures, and could not account for more than \$79,700 in Block Grant receipts.

The San Juan Office of Community Planning and Development require the Municipality to repay \$102,533 in excessive costs and \$66,593 in ineligible operating expenditures.

NOTE 15 NET ASSETS RESTATEMENTS

During fiscal year 2002-2003, the Municipality implemented several new accounting standards and an interpretation issued by GASB. As part of the implementation of the new standards, during the current fiscal year 2006-2007, the Municipality continued the documentation of capital assets not previously reported and others adjustment.

The following schedules reconcile the June 30, 2006 Net Assets, as previously reported to Beginning Net Assets, as Restated, July 1, 2006.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF HUMACAO, PUERTO RICO
NOTES TO THE BASIC FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2007

NOTE 15 NET ASSETS RESTATEMENTS (continuation)

	NET ASSETS
Net Assets, as Previously Reported, June 30, 2006	\$84,039,571
Adjustments to Revenues recognized prior year CDBG	(120,129)
Adjustments to Revenues not recognized Head Start	292,148
Adjustments to Revenues recognized prior year Other major funds	(98,555)
Adjustment to Capital Assets	<u>(617,600)</u>
Beginning Net Assets, as Restated, July 1, 2007.....	<u>\$83,495,435</u>

NOTE 16 FUTURE ADOPTION OF ACCOUNTING PRONOUNCEMENT

The Governmental Accounting Standards Board (GASB) issued the following pronouncement that does not apply to the Municipality :

GASBS No. 43, *Financial Reporting for Postemployment Benefit Plans Other Than Pension Plans* (Period beginning after December 15, 2006)

GASBS No. 45, *Accounting and Financial Reporting by Employers for Postemployment Benefit Other Than Pension* (Period beginning after December 15, 2007)

GASBS No. 48, *Sales and Pledges of Receivables and Future Revenues* (Period beginning after December 15, 2006)

GASBS No. 49, *Pollution Remediation* (Period beginning after December 15, 2007)

GASBS No. 50, *Pension Disclosures* (Period beginning after June 15, 2007)

GASBS No. 51, *Intangible Assets* (Period beginning after June 15, 2009)

END OF NOTES

MUNICIPALITY OF HUMACAO, PUERTO RICO

REQUIRED SUPPLEMENTARY INFORMATION

YEAR ENDED JUNE 30, 2007

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF HUMACAO, PUERTO RICO

REQUIRED SUPPLEMENTARY INFORMATION
BUDGETARY COMPARISON SCHEDULE – GENERAL FUND

FOR THE FISCAL YEAR ENDED JUNE 30, 2007

	BUDGET AMOUNTS		ACTUAL AMOUNTS	VARIANCE WITH FINAL BUDGET
	ORIGINAL	FINAL		
BUDGETARY FUND BALANCE, JULY 1, 2006	<u>\$ 5,345,501</u>	<u>\$ 5,345,501</u>	<u>\$ 5,345,501</u>	<u>\$ -</u>
Resources (Inflows):				
Property Taxes	13,001,810	13,001,810	12,325,421	(676,389)
Volume of Business Taxes	11,390,000	11,390,000	11,718,520	328,520
Intergovernmental Revenues	2,964,885	2,964,885	4,685,973	1,721,088
License and Permits	4,003,085	4,003,085	3,168,514	(834,571)
Sales Taxes	-	-	4,354,861	4,354,861
Rent	47,000	47,000	68,010	21,010
Charges for Services	500,000	500,000	781,144	281,144
Interest	1,100,000	1,100,000	1,741,302	641,302
Miscellaneous	<u>650,000</u>	<u>650,000</u>	<u>463,273</u>	<u>(186,727)</u>
Total Resources (Inflows)	<u>33,656,780</u>	<u>33,656,780</u>	<u>39,307,018</u>	<u>5,650,238</u>
Amounts Available for Appropriation	<u>39,002,281</u>	<u>39,002,281</u>	<u>44,652,519</u>	<u>5,650,238</u>
Charges to Appropriations (Outflows):				
Mayor and Municipal Legislature	2,034,021	2,196,086	2,162,907	33,179
General Government	14,799,226	14,772,329	15,099,799	(327,470)
Public Safety	2,336,949	2,067,106	1,969,361	97,745
Public Works	2,698,345	2,679,806	2,776,485	(96,679)
Culture and Recreation	1,369,635	1,385,963	1,370,657	15,306
Sanitation	2,010,877	1,903,030	1,886,287	16,743
Solid Waste Disposal	2,700,000	2,892,768	2,886,482	6,286
Human Services and Welfare	4,048,503	3,937,129	3,841,391	95,738
Urban Development	794,873	684,594	531,914	152,680
Capital Outlays	275,621	367,275	332,885	34,390
Transfer to Other Funds	<u>588,730</u>	<u>1,326,694</u>	<u>4,620,043</u>	<u>(3,293,349)</u>
Total Charges to Appropriations	<u>33,656,780</u>	<u>34,212,780</u>	<u>37,478,211</u>	<u>(3,265,431)</u>
BUDGETARY FUND BALANCE, JUNE 30, 2007	<u>\$ 5,345,501</u>	<u>\$ 4,789,501</u>	<u>\$ 7,174,308</u>	<u>\$ 2,384,807</u>

See accompanying Notes to Required Supplementary Information.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF HUMACAO, PUERTO RICO

BUDGETARY COMPARISON SCHEDULE – GENERAL FUND
NOTE TO REQUIRED SUPPLEMENTARY INFORMATION

FOR THE FISCAL YEAR ENDED JUNE 30, 2007

NOTE A Explanation of Differences between Budgetary Inflows and Outflows and GAAP Revenues and Expenditures

	<u>GENERAL FUND</u>
Sources/Inflows of Resources:	
Available for Appropriations	\$44,652,519
Difference – Budget to GAAP:	
The Fund Balance at the Beginning of Year is a Budgetary Resource but is not a Current Year Revenue	<u>(5,345,501)</u>
Total Revenues as Reported on Statement of Governmental Funds Revenues , Expenditures and Changes in Fund Balance	<u>\$39,307,018</u>
Uses/Outflows of Resources:	
Total Charges to Appropriations	\$37,478,211
Difference – Budget to GAAP:	
Prior Year Expenditures are not outflows of budgetary resources but are expenditures for financial reporting purposes	168,609
Encumbrances for supplies and equipment ordered but not received are reported in the year. The order is placed for budgetary purposes	(645,642)
Transfers to other funds are outflows of budgetary resources but are not expenditures for financial reporting purposes.	<u>(4,620,043)</u>
Total Expenditures as reported on the Statement of Governmental Funds Revenues, Expenditures and Changes in Fund Balance (See Page 20)	<u>\$32,381,135</u>

NOTE B Explanation of Differences between Budgetary Fund Balance and GAAP Fund Balance

Budgetary Fund Balance, June 30, 2007	\$ 7,174,308
Timing Differences:	
Net Change in Encumbrances	288,236
Non-Budgetary Items	2,471,318
Perspective Differences:	
Designated for Special Revenue	<u>5,500</u>
Undesignated Fund Balance, June 30, 2007	<u>\$ 9,939,362</u>

END OF THIS SECTION

MUNICIPALITY OF HUMACAO, PUERTO RICO

SINGLE AUDIT SECTION

YEAR ENDED JUNE 30, 2007

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF HUMACAO, PUERTO RICO
SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
FOR THE FISCAL YEAR ENDED JUNE 30, 2007

FEDERAL GRANTOR / PASS THROUGH GRANTOR / PROGRAM OR CLUSTER TITLE	FEDERAL CFDA NUMBER	PASS-THROUGH ENTITY IDENTIFYING NUMBER	FEDERAL EXPENDITURES
U.S. Department of Agriculture:			
Pass-Trough Rural Development:			
Water and Waste Disposal System for Rural Communities	10.760		\$ 265,960
Pass-Through Department of Education:			
Child and Adult Care Food Program	10.558	N/AV	<u>920,992</u>
Total U.S. Department of Agriculture			<u>1,186,952</u>
U.S. Department of Housing and Urban Development:			
Community Development Block Grant/Entitlement			
Grants (CDBG)	14.218		1,862,676
Emergency Shelter Grants Program (ESG)	14.231		43,965
Section 8 Housing Choice Vouchers	14.871		<u>2,187,845</u>
Total U.S. Department of Housing and Urban Development			<u>4,094,486</u>
U.S. Department of Justice:			
Byrne Formula Grant Program	16.579		1,686
Public Safety Partnership and Community Policing Grants	16.710		79,587
Local Law Enforcement Block Grants Program	16.592		<u>76,997</u>
Total U.S. Department of Justice			<u>158,270</u>
U.S. Department of Transportation:			
Federal Transit – Capital Investment Grants	20.500		54,341
U.S. Department of Homeland Security:			
Public Assistance Grants	97.036		11,688
Hazard Mitigation Grant (HMGP)	97.039		1,075
State Domestic Preparedness Equipment Support Program			
(HSPG) (Cluster)	97.004		<u>375,476</u>
Total U.S. Department of Homeland Security			<u>388,239</u>
U. S. Department of Health and Human Services:			
Pass-Through Elderly Office:			
Special Programs for the Aging – Title III, Part C –			
Nutritional Services	93.045	N/AV	81,917
Pass-Through Administration of Families and Children:			
Child Care and Development Block Grant	93.575	N/AV	179,032
Early Head Start Program	93.600		1,316,448
Head Start Program	93.600	N/AV	<u>6,782,192</u>
Total U.S. Department of Health and Human Services			<u>8,359,589</u>
TOTAL EXPENDITURES OF FEDERAL AWARDS			<u>\$14,241,877</u>

See accompanying Notes to Schedule of Expenditures of Federal Awards.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF HUMACAO, PUERTO RICO

NOTES TO SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
FOR THE FISCAL YEAR ENDED JUNE 30, 2007

NOTE 1 GENERAL

The accompanying Schedule of Expenditures of Federal Awards includes the federal grant activity of the Municipality of Humacao, Puerto Rico (Municipality) and is presented on the modified accrual basis. The information in this schedule is presented in accordance with the requirements of OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*. Therefore, some amounts presented in this schedule may differ from amounts presented in, or used in the preparation of, the general-purpose financial statements. The reporting entity is defined in Note (1) (A) to the general-purpose combined financial statements.

NOTE 2 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

- A. The accompanying Schedule of Expenditures of Federal Awards is prepared from Municipality's accounting records and is not intended to present financial position or the results of operations.
- B. The financial transactions are recorded by the Municipality in accordance with the terms and conditions of the grants, which are consistent with accounting principles generally accepted in the United States of America.
- C. Expenditures are recognized in the accounting period in which the liability is incurred, if measurable or when actually paid, whichever occurs first.

NOTE 3 FEDERAL CFDA NUMBER

The CFDA numbers included in this Schedule are determined based on the program name, review of grant contract information and the Office of Management and Budget's Catalogue of Federal Domestic Assistance.

NOTE 4 PASS THROUGH GRANTOR'S NUMBER

State or local government redistribution of federal awards to the Municipality, treated as if they were received directly from the federal government. OMB Circular A-133 requires the schedule to include the name of the pass through entity and identifying number assigned by the pass through entity for federal awards received as a subrecipient. Numbers identified as N/AV are not available.

NOTE 5 RELATIONSHIP TO FEDERAL FINANCIAL REPORTS

Expenditures of federal awards are reported in the Municipality's Statement of Revenues, Expenditures and Changes in Fund Balances – Governmental Fund as follows: Head Start \$6,782,192 and Other Governmental Funds \$7,459,685.

NOTE 6 MAJOR PROGRAMS

Major programs are identified in the Summary of Auditor's Results Section of the Schedule of Findings and Questioned Costs.

END OF NOTES

REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING
AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT
OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH
GOVERNMENT AUDITING STANDARDS

Honorable Mayor and Members of the
Municipal Assembly
Municipality of Humacao, Puerto Rico

We have audited the financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of Municipality of Humacao, Puerto Rico, as of and for the year ended June 30, 2007, which collectively comprise the Municipality of Humacao, Puerto Rico's basic financial statements and have issued our report thereon dated December 13, 2007. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered Municipality of Humacao, Puerto Rico's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Municipality of Humacao, Puerto Rico's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Municipality of Humacao, Puerto Rico's internal control over financial reporting.

A control deficiency exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the Municipality of Humacao, Puerto Rico's ability to initiate, authorize, record, process, or report financial data reliably in accordance with generally accepted accounting principles such that there is more than a remote likelihood that a misstatement of the Municipality of Humacao, Puerto Rico's financial statements that is more than inconsequential will not be prevented or detected by the Municipality of Humacao, Puerto Rico's internal control.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that a material misstatement of the financial statements will not be prevented or detected by the Municipality of Humacao, Puerto Rico's internal control.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in internal control that might be significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether Municipality of Humacao, Puerto Rico's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statements amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

This report is intended solely for the information and use of management, Municipal Assembly, and federal awarding agencies and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.

ROMAN TORO & CO., CSP
LICENSE #35 - IN FORCE

Yauco, Puerto Rico
December 13, 2007

Stamp #2263778 was affixed to
the original of this report

REPORT ON COMPLIANCE WITH REQUIREMENTS
APPLICABLE TO EACH MAJOR PROGRAM AND ON INTERNAL CONTROL
OVER COMPLIANCE IN ACCORDANCE WITH OMB CIRCULAR A-133

Honorable Mayor and Members of the
Municipal Assembly
Municipality of Humacao, Puerto Rico

Compliance

We have audited the compliance of Municipality of Humacao, Puerto Rico with the types of compliance requirements described in the U.S. Office of Management and Budget (OMB) *Circular A-133 Compliance Supplement* that are applicable to each of its major federal programs for the year ended June 30, 2007. Municipalities of Humacao, Puerto Rico's major federal programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs. Compliance with the requirements of laws, regulations, contracts, and grants applicable to each of its major federal programs is the responsibility of Municipality of Humacao, Puerto Rico's management. Our responsibility is to express an opinion on Municipality of Humacao, Puerto Rico's compliance based on our audit.

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and OMB Circular A-133 *Audits of States, Local Governments, and Non-Profit Organizations*. Those standards and OMB Circular A-133 require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about Municipality of Humacao, Puerto Rico's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our audit provides a reasonable basis for our opinion. Our audit does not provide a legal determination of Municipality of Humacao, Puerto Rico's compliance with those requirements.

In our opinion, Municipality of Humacao, Puerto Rico complied, in all material respects, with the requirements referred to above that are applicable to each of its major federal programs for the year ended June 30, 2007.

Internal Control Over Compliance

The management of Municipality of Humacao, Puerto Rico is responsible for establishing and maintaining effective internal control over compliance with the requirements of laws, regulations, contracts, and grants applicable to federal programs. In planning and performing our audit, we considered Municipality of Humacao, Puerto Rico's internal control over compliance with the requirements that could have a direct and material effect on a major federal program in order to determine our auditing procedures for the purpose of expressing our opinion on compliance, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of Municipality of Humacao, Puerto Rico's internal control over compliance.

A control deficiency in an entity's internal control over compliance exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect noncompliance with a type of compliance requirement of a federal program on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the entity's ability to administer a federal program such that there is more than a remote likelihood that noncompliance with a type of compliance requirement of a federal program that is more than inconsequential will not be prevented or detected by the entity's internal control.

Internal Control Over Compliance. (Continued)

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that material noncompliance with a type of compliance requirement of a federal program will not be prevented or detected by the entity's internal control.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in internal control that might be significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above.

Municipality of Humacao, Puerto Rico's response to the findings identified in our audit are described in the accompanying schedule of findings and questioned costs. We did not audit Municipality of Humacao, Puerto Rico's response and, accordingly, we express no opinion on it.

This report is intended solely for the information and use of management, Mayor, others within the entity, Municipal Assembly, and federal awarding agencies and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.

ROMAN TORO & CO., CSP
LICENSE #35 - IN FORCE

Yauco, Puerto Rico
December 13, 2007

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF HUMACAO, PUERTO RICO
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE YEAR ENDED JUNE 30, 2007

SECTION I – SUMMARY OF AUDITORS' RESULTS

Financial Statements

Type of auditor's report issued:

☒ Unqualified Opinion

☐ Qualified Opinion

☐ Adverse Opinion

☐ Disclaimer Opinion

Internal control over financial reporting:

• Control deficiency identified?

☐ Yes

☒ None reported

• Significant deficiency identified?

☐ Yes

☒ None reported

• Material weakness (es) identified?

☐ Yes

☒ No

Noncompliance material to financial statements noted?

☐ Yes

☒ No

Federal Awards

Internal control over major programs:

• Control deficiency identified?

☐ Yes

☒ None reported

• Significant deficiency identified?

☐ Yes

☒ None reported

• Material weakness (es) identified?

☐ Yes

☒ No

Type of auditor's report issued on compliance for
Major Programs:

☒ Unqualified Opinion

☐ Qualified Opinion

☐ Adverse Opinion

☐ Disclaimer Opinion

Any audit finding disclosed that are required to be reported
in accordance with Section 510(a) of Circular A-133?

☒ Yes

☐ No

Identification of Major Programs:

CFDA Number	Name of Federal Program or Cluster
10.558	Child and Adult Care Food Program
14.218	Community Development Block Grant – Entitlement Grants
14.871	Section 8 – Rental Housing Choice Vouchers
93.600	Head Start Program

Dollar threshold used to distinguish between
Type A and Type B Programs:

\$427,256

Auditee qualified as low-risk auditee?

☐ Yes

☒ No

SECTION II – FINANCIAL STATEMENT FINDINGS

NONE

SECTION III – FEDERAL AWARD FINDINGS AND QUESTIONED COST

NONE

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF HUMACAO, PUERTO RICO

SUMMARY SCHEDULE OF PRIOR AUDIT FINDINGS
FOR THE YEAR ENDED JUNE 30, 2007

Year	Finding Number	Finding	Number	CFDA Questioned Cost(s)	Comments
(1) Audit Findings that have been fully corrected or not noted during our audit:					
2006	2006-1	Delinquency in submitting HUD-50058 Family Reports of Section 8 program	14.871	None.	Situation was corrected by the Municipality. Has not been cleared by Grant Agency.
2006	2006-2	Timely verification procedures subsequent to housing unit inspections to verify corrections by owner.	14.871	\$2,501	Situation was corrected by the Municipality. Has not been cleared by Grant Agency.
2006	2006-3	Using non-current utility allowance schedule.	14.871	\$405	Situation was corrected by the Municipality. Has not been cleared by Grant Agency.
2006	2006-4	Deficiencies in Tenant Reexaminations and Income Determinations	14.871	None.	Situation was corrected by the Municipality. Has not been cleared by Grant Agency.
2005	2005-III-5	Deficiencies in Housing Quality Standards inspections.	14.871	None.	Situation was corrected by the Municipality. Has not been cleared by Grant Agency.
2004	04-06	Certain vouchers were awarded considering incorrect or incomplete Utility Allowance Schedules.	14.871	None.	Situation was corrected by the Municipality. Has not been cleared by Grant Agency.
2004	04-07	Deficiencies in Housing Quality Standards inspections.	14.871	None.	Situation was corrected by the Municipality. Has not been cleared by Grant Agency.
2004	04-08	Deficiencies in participant files, including non-compliance with various HUD guidelines.	14.871	None.	Situation was corrected by the Municipality. Has not been cleared by Grant Agency.
2004	04-09	Deficiencies in participant files, including compliance with the requirement of determining income eligibility and evidence.	14.871	None.	Finding was not noted during the 2007 audit. Has not been cleared by Grant Agency.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF HUMACAO, PUERTO RICO

SUMMARY SCHEDULE OF PRIOR AUDIT FINDINGS, (Continued)
FOR THE YEAR ENDED JUNE 30, 2007

(1) Audit Findings that have been fully corrected or not noted during our audit (continued):

2004	04-06	Certain vouchers were awarded considering incorrect or incomplete Utility Allowance Schedules.	14.871	None.	Situation was corrected by the Municipality. Has not been cleared by Grant Agency.
2004	04-17	Excess time elapsed between receipt and disbursement of funds.	93.600	None.	Finding was not noted during the 2007 audit. Has not been cleared by Grant Agency.
2003	03-III-01	Deficiencies related to Special Tests and Provisions	14.871	None.	Finding was not noted during the 2007 audit. Has not been cleared by Grant Agency.
2003	03-III-02	Excess cash maintained in bank accounts of program (cash management).	14.218 14.856 14.871	None.	Finding was not noted during the 2007 audit. Has not been cleared by Grant Agency.

(2) Audit Findings not corrected or partially corrected:

NONE.

(3) Corrective action taken is significantly different from corrective action previously reported:

NONE.

(4) Corrective action taken is significantly different from corrective action previously reported:

NONE.

END OF SCHEDULE
